

## SIXTY-SEVENTH DAY

(Thursday, May 6, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Heflin
Adkins	Herzik
Alexander	Holland
Alsup	Hoskins
Amos	Howard
Baker	Huddleston
Bates	Hull
Beckworth	Jackson
Bel	James
Blankenship	Johnson of Ellis
Boethel	Johnson
Bond	of Tarrant
Boyer	Jones of Angelina
Bradbury	Jones of Atascosa
Bradford	Jones of Falls
Bridgers	Jones of Wise
Broadfoot	Keefe
Brown	Keith
Burton	Kelt
Cagle	Kenyon
Callan	Kern
Carssow	King
Cathey	Knetsch
Cauthorn	Langdon
Celaya	Lankford
Cleveland	Lanning
Colquitt	Leonard
Davis of Haskell	Leyendecker
Davis of Jasper	Little
Davison of Fisher	Loggins
Davisson	London
of Eastland	Lucas
Dean	Mann
Deglandon	Mauritz
Dickison	Mays
Dollins	McConnell
England	McCracken
Farmer	McDonald
Felty	McFarland
Fielden	McKee
Fox	McKinney
Fuchs	Metcalfe
Gibson	Moffett
Graves	Monkhouse
Hamilton	Morris
Hankamer	Morse
Hanna	Newton
Harbin	Nicholson
Hardin	Oliver
Harper	Palmer
Harris of Archer	Patterson of Mills
Harris of Dallas	Patterson
Harris of Dickens	of Travis
Hartzog	Petsch

Pope	Smith
Powell	of Matagorda
Prescott	Smith of Tarrant
Quinn	Stevenson
Reader	Stinson
Reed of Bowie	Stocks
Reed of Dallas	Talbert
Rhodes	Tarwater
Riddle	Tennant
Roark	Tennyson
Ross	Thornberry
Russell	Thornton
Schuenemann	Vale
Settle	Waggoner
Sewell	Walker
Sharpe	Weldon
Shell	Westbrook
Simpson	Winfree
Skaggs	Wood
Smith of Hopkins	Worley

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Ragsdale for today, on account of important State business, on motion of Mr. Shell.

Mr. Derden for today, on account of important State business, on motion of Mr. Cagle.

Mr. Harrell for today, on account of important State business, on motion of Mr. Cagle.

The following Member was granted leave of absence on account of illness:

Mr. Rutta for today, on account of illness in family, on motion of Mr. Cauthorn.

## HOUSE BILL ON FIRST READING

Mr. Bradbury moved to introduce, at this time, and have placed on first reading, House Bill No. 1168.

The motion prevailed by the following vote:

Yeas—110

Adkins	Bell
Alsup	Blankenship
Baker	Boethel
Beckworth	Bond

Bradbury	McConnell
Bradford	McCracken
Bridgers	McDonald
Broadfoot	McFarland
Burton	McKinney
Callan	Metcalf
Carssow	Moffett
Cathey	Monkhouse
Cauthorn	Morse
Cleveland	Newton
Davis of Haskell	Oliver
Davis of Jasper	Palmer
Deglandon	Patterson of Mills
Dickison	Petsch
Dollins	Pope
England	Powell
Farmer	Prescott
Felty	Quinn
Fielden	Reader
Fox	Reed of Bowie
Fuchs	Reed of Dallas
Graves	Rhodes
Hamilton	Riddle
Hankamer	Roark
Hanna	Ross
Harbin	Russell
Harper	Schuenemann
Harris of Archer	Settle
Harris of Dallas	Shell
Harris of Dickens	Simpson
Herzik	Skaggs
Holland	Smith of Hopkins
Hoskins	Smith
Huddleston	of Matagorda
James	Stevenson
Johnson of Ellis	Stinson
Jones of Angelina	Stocks
Jones of Atascosa	Talbert
Jones of Falls	Tarwater
Jones of Wise	Tennant
Kelt	Tennyson
Kenyon	Thornberry
Kern	Thornton
King	Vale
Knetsch	Waggoner
Langdon	Walker
Lankford	Weldon
Lanning	Westbrook
Leyendecker	Winfree
Little	Wood
London	Worley
Lucas	

## Nays—2

Hardin

Patterson  
of Travis

## Absent

Alexander  
Amos  
Bates  
Boyer  
Brown  
CagleCelaya  
Colquitt  
Davison of Fisher  
Davisson  
of Eastland  
Dean

Gibson	Loggins
Hartzog	Mann
Heflin	Mauritz
Howard	Mays
Hull	McKee
Jackson	Morris
Johnson	Nicholson
of Tarrant	Sewell
Keefe	Sharpe
Keith	Smith of Tarrant
Leonard	

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Bradbury:

H. B. No. 1168, A bill to be entitled "An Act amending Article 4603, Chapter 1, Title 75, Revised Civil Statutes of Texas."

Referred to the Committee on Judiciary.

## BILL ORDERED NOT PRINTED

On motion of Mr. Sharpe, House Bill No. 1164 was ordered not printed.

TO PROVIDE FOR NIGHT SESSION FOR THE CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. McKinney moved that next Monday evening be set aside for the consideration of local and uncontested bills.

Mr. Reed of Bowie moved, as a substitute motion, that next Monday evening be set aside for the consideration of House Bill No. 3, the Old Age Pension bill, and House Bill No. 482.

Mr. Davison of Fisher moved to table the motion by Mr. Reed of Bowie.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—69

Alsup	Bell
Baker	Boethel
Bates	Bond

Boyer	McFarland
Bridgers	McKee
Broadfoot	McKinney
Burton	Monkhouse
Cagle	Morris
Callan	Morse
Carssow	Nicholson
Cauthorn	Patterson of Mills
Davison of Fisher	Patterson
Dollins	of Travis
Felty	Petsch
Fuchs	Powell
Hankamer	Quinn
Harper	Roark
Harris of Archer	Schuenemann
Harris of Dallas	Settle
Heflin	Shell
Holland	Simpson
Hoskins	Smith of Hopkins
Jackson	Smith
Jones of Angelina	of Matagorda
Jones of Atascosa	Smith of Tarrant
Jones of Wise	Stinson
Kenyon	Stocks
Knetsch	Talbert
Lanning	Tarwater
Leyendecker	Tennant
Little	Tennyson
London	Thornton
Mann	Waggoner
Mauritz	Walker
McCracken	Winfree
McDonald	

## Nays—47

Adkins	Kelt
Amos	Kern
Beckworth	King
Blankenship	Langdon
Bradbury	Lankford
Bradford	Lucas
Brown	McConnell
Cleveland	Moffett
Davis of Haskell	Newton
Davis of Jasper	Oliver
Davisson	Palmer
of Eastland	Prescott
Deglandon	Reed of Bowie
Dickison	Reed of Dallas
Farmer	Rhodes
Fielden	Ross
Hamilton	Russell
Harbin	Sharpe
Hardin	Stevenson
Harris of Dickens	Thornberry
Herzik	Weldon
Huddleston	Westbrook
James	Wood
Johnson of Ellis	Worley

## Absent

Alexander	Colquitt
Cathey	Dean
Celaya	England

Fox	Keith
Gibson	Leonard
Graves	Loggins
Hanna	Mays
Hartzog	Metcalfe
Howard	Pope
Hull	Reader
Johnson	Riddle
of Tarrant	Sewell
Jones of Falls	Skaggs
Keefe	Vale

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

Mr. Reed of Bowie moved to table the motion by Mr. McKinney.

The motion to table was lost.

Question then recurring on the motion by Mr. McKinney, that next Monday evening be set aside for consideration of local and uncontested bills, it prevailed.

## MOTION TO CONSIDER HOUSE BILL NO. 3

Mr. Reed of Bowie moved that the House convene in session next Tuesday evening for the purpose of considering House Bill No. 3.

Mr. Thornton moved to table the motion by Mr. Reed of Bowie.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

## Yeas—52

Alsup	Lanning
Baker	Leyendecker
Boethel	London
Bond	Mauritz
Boyer	Mays
Bridgers	McCracken
Broadfoot	McDonald
Burton	McFarland
Callan	McKinney
Carssow	Monkhouse
Colquitt	Morse
England	Patterson
Felty	of Travis
Fox	Petsch
Graves	Reader
Hankamer	Riddle
Harris of Archer	Roark
Holland	Schuenemann
Hoskins	Smith
Jackson	of Matagorda
Jones of Wise	Smith of Tarrant
Keith	Stinson

Stocks  
Talbert  
Tarwater  
Tennyson  
Thornberry

Thornton  
Vale  
Waggoner  
Walker

## Nays—61

Adkins	King
Amos	Knetsch
Bates	Langdon
Beckworth	Lankford
Bell	Lucas
Bradbury	Mann
Bradford	McConnell
Cathey	Moffett
Cleveland	Morris
Davis of Haskell	Newton
Davis of Jasper	Oliver
Deglandon	Palmer
Dickison	Patterson of Mills
Dollins	Pope
Farmer	Powell
Fielden	Prescott
Fuchs	Reed of Bowie
Hamilton	Reed of Dallas
Harbin	Rhodes
Hardin	Ross
Harper	Russell
Harris of Dallas	Settle
Harris of Dickens	Simpson
Herzik	Smith of Hopkins
Huddleston	Stevenson
Hull	Tennant
James	Weldon
Johnson of Ellis	Westbrook
Jones of Aneglina	Wood
Kelt	Worley
Kern	

## Present—Not Voting

Quinn

## Absent

Alexander	Jones of Atascosa
Blankenship	Jones of Falls
Brown	Keefe
Cagle	Kenyon
Cauthorn	Leonard
Celaya	Little
Davison of Fisher	Loggins
Davisson	McKee
of Eastland	Metcalfe
Dean	Nicholson
Gibson	Sewell
Hanna	Sharpe
Hartzog	Shell
Heflin	Skaggs
Howard	Winfree
Johnson	
of Tarrant	

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

Question then recurring on the motion by Mr. Reed of Bowie, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—58

Adkins	King
Beckworth	Knetsch
Bell	Langdon
Blankenship	Lankford
Bradbury	Lucas
Brown	Mann
Cathey	McConnell
Cleveland	Moffett
Davis of Haskell	Newton
Davis of Jasper	Oliver
Davisson	Palmer
of Eastland	Patterson of Mills
Deglandon	Pope
Dickison	Powell
Dollins	Prescott
Farmer	Quinn
Fielden	Reed of Bowie
Hamilton	Reed of Dallas
Harbin	Rhodes
Hardin	Ross
Harper	Russell
Harris of Dickens	Settle
Herzik	Smith of Hopkins
Hoskins	Smith of Tarrant
Huddleston	Tennant
Hull	Weldon
James	Westbrook
Johnson of Ellis	Wood
Kelt	Worley
Kern	

## Nays—58

Alsup	Jones of Wise
Baker	Keith
Bates	Kenyon
Boethel	Lanning
Bond	Leyendecker
Boyer	Little
Bradford	London
Bridgers	Mauritz
Broadfoot	Mays
Burton	McCracken
Callan	McDonald
Carssow	McFarland
Cauthorn	Metcalfe
Colquitt	Monkhouse
Davison of Fisher	Morris
England	Morse
Felty	Patterson
Fox	of Travis
Fuchs	Petsch
Graves	Riddle
Hankamer	Roark
Heflin	Simpson
Holland	Smith
Jackson	of Matagorda
Jones of Angelina	Stinson
Jones of Atascosa	Stocks

Talbert	Thornton
Tarwater	Vale
Tennyson	Waggoner
Thornberry	Walker

## Absent

Alexander	Keefe
Amos	Leonard
Cagle	Loggins
Celaya	McKee
Dean	McKinney
Gibson	Nicholson
Hanna	Reader
Harris of Archer	Schuenemann
Harris of Dallas	Sewell
Hartzog	Sharpe
Howard	Shell
Johnson	Skaggs
of Tarrant	Stevenson
Jones of Falls	Winfree

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

## RELATING TO THE APPOINTMENT OF A CERTAIN RESEARCH COMMISSION

Mr. Smith of Tarrant offered the following resolution:

H. C. R. No. 121, Relating to the appointment of certain commission.

Whereas, It has long been known that the rates, rules and regulations applicable to rail and truck transportation are complicated and require many years of study and experience to properly manipulate and administer; and

Whereas, Since years of study and experience are required to become a proficient Traffic Manager in industrial work for commercial concerns, or an expert Freight Rate man for rail or truck carriers, the sentiment prevails that the people engaged in this line of work are fully justified and amply warranted in desiring a professional status with legal recognition; and

Whereas, It is a familiar fact that the law making bodies of this State have granted aid to similar professions in their commendable efforts to establish educational standards and professional safeguards, it would be only equitable for this Legislature to at least put its stamp of approval on an investigation of this calling in order that members of the profession of Traffic Managers and Freight

Rate Men may present to a forthcoming session of the Legislature, data on their profession and recommendations as to laws; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Governor shall within sixty days after adjournment of the Regular Session of the Legislature appoint a Research Commission to be composed of five men as follows: Two from either the local, division or general offices of the rail carriers who have had at least fifteen years of practical work in freight rates; two commercial Traffic Managers who have distinguished themselves for achievement in their field of endeavor, and one from the Motor Truck Industry whose experience and accomplishments enable him to render valuable service to the Research Commission; and, be it further

Resolved, That this board of inquiry is to be known as the Research Commission, Profession of Traffic Managers and Freight Rate Men, and that members of the commission are to serve without compensation from the State; that the commission will hold hearings or proceed in a manner that in its judgment appears best to obtain data for the establishment of educational standards and other developments thought necessary to improve the people engaged in this line of work and said Research Commission to report its findings and recommendation to the Governor within one year after its appointment and the Governor in turn to submit the report to the first meeting of the Legislature after he has received the report.

The resolution was read second time.

On motion of Mr. Davison of Fisher, the resolution was referred to the Committee on Common Carriers.

## RELATIVE TO APPOINTMENT OF A COMMITTEE TO MAKE CERTAIN INVESTIGATION

Mr. Johnson of Ellis offered the following resolution:

Whereas, It is a cardinal responsibility of any representative assembly to inquire and determine whether the various institutions of Government are operated according to the principles of justice, equity, legality and humanity; and

Whereas, These principles are

necessarily involved in the administration unto the weak, weary and oppressed human beings who constitute the inmates of the eleemosynary institutions; and

Whereas, Such inmates are not wards of the State by their own choice but are so due to infirmities or deformities beyond their control; and

Whereas, The law has prescribed and sanctioned the process of an attempted improvement or rehabilitation of the mentally and physically deficient; and

Whereas, The law liberally or otherwise construed infers that these wards are patients or charges of the State shall be the recipients of diligent and humane treatment at the hands of the employees and administrators of the institutions of the commitment or incarceration; and

Whereas, Reports have come to the author of this resolution from reliable sources to the effect that certain inmates of certain eleemosynary institutions have been subjected to unbelievable barbaric and inhuman treatment at the hands of certain unscrupulous employees which is contrary to public policy and law; and

Whereas, The facts of such reports should be investigated in order to determine their falsity or validity that the innocent may be exonerated or the guilty discharged that the innocent and defenseless inmates may receive only the best most diligent and humane treatment afforded by the State and expected by the public; therefore, be it

Resolved by the Forty-fifth Legislature of the State of Texas, That a committee of three Members be appointed by the Speaker to be vested with every authority to visit, to study the records of inmates, to study the sanitary conditions and determine other or inhuman treatment of inmates which is or has been practised by the employees or administrators of the various eleemosynary institutions of Texas; and, be it further

Resolved, That the findings of this said committee be prepared and placed before the House for its study and recommendations.

The resolution was read second time.

Mr. Thornton offered the following amendment to the resolution:

Amend the resolution, by providing no appropriation shall be made to

conduct this investigation or no expense against the State shall be incurred by said committee.

The amendment was adopted.

Mr. Lanning offered the following amendment to the resolution:

Amend the resolution, "Provided that the report of the investigation shall be made before the end of the Regular Session of the Forty-fifth Legislature."

The amendment was adopted.

The resolution, as amended, was then adopted.

In accordance with the above resolution, the Speaker announced the appointment of the following committee to investigate conditions at State Eleemosynary Institutions.

Messrs. Johnson of Ellis, Smith of Tarrant and Rhodes.

#### RELATIVE TO THE SUSPENSION OF CERTAIN RULES TO CONSIDER SENATE BILL NO. 140

Mr. Graves offered the following resolution:

Whereas, It is nearing the end of the Session; and

Whereas, It is necessary that the General Appropriation Bills be passed; and

Whereas, The General Appropriation Bills are now available for consideration by the House; now, therefore, be it

Resolved, That all necessary rules be suspended and the House take up and consider until the same is finally disposed of, Senate Bill No. 140, which is the General Appropriation Bill for Eleemosynary Institutions.

GRAVES,  
THORNTON,  
STEVENSON,  
CALVERT.

The resolution was read second time.

Question recurring on the resolution by Mr. Graves, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—114

Adkins	Bell
Alsup	Blankenship
Amos	Boethel
Baker	Bond
Bates	Boyer
Beckworth	Bradbury

Bradford	Little
Bridgers	London
Broadfoot	Lucas
Brown	Mann
Burton	Mauritz
Cagle	McConnell
Callan	McCracken
Carssow	McDonald
Cathey	McFarland
Cauthorn	McKee
Cleveland	McKinney
Colquitt	Metcalfe
Davis of Jasper	Moffett
Davison of Fisher	Monkhouse
Davisson	Morris
of Eastland	Morse
Dean	Newton
Deglandon	Nicholson
Dickison	Oliver
Dollins	Palmer
England	Patterson of Mills
Felty	Patterson
Graves	of Travis
Hamilton	Pope
Hankamer	Powell
Hanna	Quinn
Harbin	Reed of Bowie
Hardin	Reed of Dallas
Harris of Archer	Riddle
Harris of Dallas	Roark
Harris of Dickens	Russell
Heflin	Schuenemann
Holland	Settle
Howard	Sharpe
Huddleston	Shell
Hull	Simpson
Jackson	Skaggs
James	Smith of Hopkins
Johnson	Smith
of Tarrant	of Matagorda
Jones of Angelina	Smith of Tarrant
Jones of Atascosa	Stevenson
Jones of Falls	Stocks
Jones of Wise	Talbert
Keith	Tennyson
Kenyon	Thornberry
Kern	Thornton
King	Vale
Knetsch	Waggoner
Langdon	Walker
Lankford	Weldon
Lanning	Winfree
Leyendecker	Worley

## Nays—15

Davis of Haskell	Mays
Farmer	Petsch
Fielden	Prescott
Fox	Rhodes
Gibson	Ross
Hoskins	Tennant
Johnson of Ellis	Wood
Kelt	

## Absent

Alexander	Leonard
Celaya	Loggins
Fuchs	Reader
Harper	Sewell
Hartzog	Stinson
Herzik	Tarwater
Keefe	Westbrook

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

(Mr. Davison of Fisher in the Chair.)

HOUSE BILL NO. 1034 WITH  
SENATE AMENDMENTS

Mr. Pope called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1034, A bill to be entitled "An Act conferring authority on State Parks Board to acquire for use as a public park a tract of land situated on Padre Island, prescribing the terms and conditions under which such purchase can be made; . . . etc., and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

On motion of Mr. Pope, the House concurred in the Senate amendments by the following vote:

## Yeas—114

Adkins	Davisson
Alexander	of Eastland
Alsup	Deglandon
Amos	Dickison
Baker	Dollins
Beckworth	England
Bell	Farmer
Blankenship	Fielden
Boethel	Fox
Boyer	Gibson
Bradbury	Graves
Bradford	Hamilton
Bridgers	Hankamer
Broadfoot	Hanna
Brown	Harbin
Burton	Hardin
Callan	Harris of Dallas
Carssow	Harris of Dickens
Cathey	Hartzog
Cauthorn	Heflin
Cleveland	Herzik
Colquitt	Holland
Davis of Haskell	Hoskins
Davis of Jasper	Howard

Huddleston	Patterson
Hull	of Travis
Jackson	Petsch
Johnson	Pope
of Tarrant	Powell
Jones of Anselina	Prescott
Jones of Falls	Quinn
Jones of Wise	Reed of Bowie
Keith	Reed of Dallas
Kelt	Rhodes
Kenyon	Riddle
Kern	Roark
King	Russell
Knetsch	Schuenemann
Langdon	Shell
Lanning	Simpson
Leyendecker	Smith of Hopkins
London	Smith
Lucas	of Matagorda
Mann	Smith of Tarrant
Mauritz	Stevenson
Mays	Stinson
McConnell	Stocks
McCracken	Talbert
McDonald	Tarwater
McKee	Tennyson
McKinney	Thornberry
Moffett	Thornton
Monkhouse	Vale
Morris	Waggoner
Morse	Walker
Newton	Weldon
Oliver	Winfree
Palmer	Wood
Patterson of Mills	Worley

## Nays—1

Lankford

## Present—Not Voting

Bond

Davison of Fisher

## Absent

Bates	Little
Cagle	Loggins
Celaya	McFarland
Dean	Metcalfe
Felty	Nicholson
Fuchs	Reader
Harper	Ross
Harris of Archer	Settle
James	Sewell
Johnson of Ellis	Sharpe
Jones of Atascosa	Skaggs
Keefe	Tennant
Leonard	Westbrook

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

## RELATIVE TO THE CONSIDERATION OF HOUSE BILL NO. 581

Mr. Davis of Haskell offered the following resolution:

Whereas, House Bill No. 581 has passed the House on second reading and is now pending on third reading; and

Whereas, Because of the crowded condition of the calendar it appears that this bill will not be reached at this session in the ordinary course of business; therefore, be it

Resolved, That all necessary rules be suspended and this bill be placed on third reading and final passage Friday morning, May 7, 1937 at 10:30 a. m., and the rules are hereby suspended for this purpose, at that time.

DAVIS of Haskell,  
CELAYA.

The resolution was read second time.

Mr. Reed of Dallas offered the following amendment to the resolution:

Amend resolution to include House Bill No. 407.

REED of Dallas,  
MORSE.

Mr. Davis of Haskell moved to table the amendment by Mr. Reed of Dallas.

The motion to table prevailed.

Mr. Brown moved to table the resolution by Mr. Davis of Haskell.

The motion to table was lost.

Question recurring on the resolution by Mr. Davis of Haskell, yeas and nays were demanded.

The resolution was lost by the following vote (not receiving the necessary two-thirds vote):

## Yeas—62

Adkins	Fox
Beckworth	Hamilton
Boethel	Hanna
Boyer	Harbin
Bradbury	Harper
Burton	Hartzog
Carssow	Heflin
Cathey	Herzik
Cleveland	Holland
Davis of Haskell	Hoskins
Davis of Jasper	Huddleston
Davison	Johnson of Ellis
of Eastland	Johnson
Dean	of Tarrant
Dollins	Jones of Falls
England	Keith
Fielden	Kelt



King	Roark
Knetsch	Russell
Lanning	Simpson
Leyendecker	Smith
Little	of Matagorda
Lucas	Smith of Tarrant
McConnell	Stocks
McKee	Talbert
McKinney	Tarwater
Metcalfe	Thornton
Monkhouse	Waggoner
Morris	Weldon
Morse	Westbrook
Newton	Winfree
Palmer	Wood
Rhodes	

## Nays—45

Alexander	Jones of Angelina
Alsup	Jones of Wise
Amos	Kern
Bates	London
Bell	Mays
Blankenship	Moffett
Bond	Oliver
Bradford	Patterson of Mills
Bridgers	Pope
Broadfoot	Powell
Brown	Prescott
Cagle	Quinn
Callan	Reed of Bowie
Cauthorn	Reed of Dallas
Colquitt	Riddle
Deglandon	Sharpe
Farmer	Shell
Gibson	Smith of Hopkins
Hankamer	Stevenson
Hardin	Tennyson
Harris of Archer	Thornberry
Harris of Dallas	Walker
James	

## Present—Not Voting

Davison of Fisher

## Absent

Baker	Mauritz
Celaya	McCracken
Dickison	McDonald
Felty	McFarland
Fuchs	Nicholson
Graves	Patterson
Harris of Dickens	of Travis
Howard	Petsch
Hull	Reader
Jackson	Ross
Jones of Atascosa	Schuenemann
Keefe	Settle
Kenyon	Sewell
Langdon	Skaggs
Lankford	Stinson
Leonard	Tennant
Loggins	Vale
Mann	Worley

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

SENATE BILL NO. 164 ON  
PASSAGE TO THIRD  
READING

The Chair laid before the House, as pending business, on its passage to third reading,

S. B. No. 164, A bill to be entitled "An Act to amend Articles 5483 and 5486, Chapter 5, Title 90, of Revised Civil Statutes of 1925, and declaring an emergency."

The bill having heretofore been read second time.

Mr. McConnell offered the following committee amendment to the bill:

Amend Article 5483, by adding the words "Bus, truck, or other vehicle" in line 10 after the word "Railroad."

The amendment was adopted.

Mr. Patterson of Travis offered the following amendment to the bill:

Amend Senate Bill No. 164, by placing a period after the word "Trustees" in line 15, page 2, and striking out lines 16 and 17, page 2.

Mr. Fox moved to table the amendment by Mr. Patterson of Travis.

The motion to table prevailed.

Senate Bill No. 164 was then passed to third reading.

SENATE BILL NO. 164 ON THIRD  
READING

Mr. Dean moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 164 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—106

Adkins	Callan
Alexander	Carssow
Alsup	Cathey
Amos	Cauthorn
Baker	Celaya
Beckworth	Cleveland
Bell	Colquitt
Boethel	Davis of Jasper
Bradbury	Davison
Bradford	of Eastland
Bridgers	Dean
Brown	Deglandon
Burton	Dickison

Dollins	McKinney
England	Metcalfe
Farmer	Moffett
Fielden	Monkhouse
Fox	Morris
Gibson	Morse
Hamilton	Newton
Hankamer	Nicholson
Hanna	Oliver
Hardin	Patterson
Harper	of Travis
Harris of Archer	Petsch
Harris of Dallas	Pope
Harris of Dickens	Powell
Hartzog	Prescott
Heflin	Reed of Bowie
Hoskins	Reed of Dallas
Howard	Rhodes
Huddleston	Ross
Hull	Russell
Jackson	Schuenemann
James	Settle
Johnson of Ellis	Sharpe
Johnson	Shell
of Tarrant	Simpson
Jones of Angelina	Smith of Hopkins
Jones of Falls	Smith
Jones of Wise	of Matagorda
Keith	Smith of Tarrant
Kern	Stocks
King	Talbert
Knetsch	Tennant
Lankford	Thornberry
Lanning	Thornton
Leyendecker	Vale
London	Waggoner
Lucas	Walker
Mauritz	Weldon
Mays	Westbrook
McConnell	Winfree
McFarland	Wood
McKee	Worley

## Nays—1

Skaggs

## Present—Not Voting

Broadfoot

Davison of Fisher

## Absent

Bates	Kelt
Blankenship	Kenyon
Bond	Langdon
Boyer	Leonard
Cagle	Little
Davis of Haskell	Loggins
Felty	Mann
Fuchs	McCracken
Graves	McDonald
Harbin	Palmer
Herzik	Patterson of Mills
Holland	Quinn
Jones of Atascosa	Reader
Keefe	Riddle

Roark	Stinson
Sewell	Tarwater
Stevenson	Tennyson

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

The Chair then laid Senate Bill No. 164 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—110

Adkins	Jones of Angelina
Alsup	Jones of Falls
Amos	Jones of Wise
Baker	Keith
Bates	Kelt
Bell	Kenyon
Blankenship	Kern
Boethel	King
Bradbury	Knetsch
Bradford	Lankford
Bridgers	Lanning
Brown	Leyendecker
Burton	Loggins
Callan	London
Carssow	Lucas
Cathey	Mauritz
Cauthorn	Mays
Celaya	McConnell
Cleveland	McFarland
Davis of Jasper	McKee
Davison	Metcalfe
of Eastland	Moffett
Dean	Monkhouse
Deglandon	Morris
Dickison	Morse
Dollins	Newton
England	Oliver
Fielden	Palmer
Fox	Patterson of Mills
Gibson	Patterson
Graves	of Travis
Hamilton	Petsch
Hankamer	Powell
Hanna	Prescott
Hardin	Quinn
Harper	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dallas	Rhodes
Harris of Dickens	Roark
Heflin	Russell
Hoskins	Schuenemann
Howard	Settle
Huddleston	Sharpe
Hull	Shell
Jackson	Simpson
James	Skaggs
Johnson of Ellis	Smith of Hopkins
Johnson	Smith
of Tarrant	of Matagorda

Smith of Tarrant	Vale
Stocks	Waggoner
Talbert	Walker
Tarwater	Weldon
Tennant	Westbrook
Tennyson	Winfree
Thornberry	Wood
Thornton	Worley

Present—Not Voting

Davison of Fisher

Absent

Alexander	Keefe
Beckworth	Langdon
Bond	Leonard
Boyer	Little
Broadfoot	Mann
Cagle	McCracken
Colquitt	McDonald
Davis of Haskell	McKinney
Farmer	Nicholson
Felty	Pope
Fuchs	Reader
Harbin	Riddle
Hartzog	Ross
Herzik	Sewell
Holland	Stevenson
Jones of Atascosa	Stinson

Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

#### MESSAGE FROM THE SENATE

Austin, Texas, May 6, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 277, A bill to be entitled "An Act providing relief for the Old Glory Rural High Common School District No. 4 of Stonewall County, Texas, in replacing buildings and equipment destroyed by a disastrous fire on December 13th, 1936; making an appropriation for said District to replace said buildings and equipment, and declaring an emergency."

H. B. No. 759, A bill to be entitled "An Act defining a Wholesale Fur Buyer, a Retail Fur Buyer and a Trapper; providing licenses for those engaged in such business and defining the privileges granted under such licenses; providing for the disposition of funds collected from the sale of such licenses; repealing all laws in conflict with this Act, and specifically

that portion of the law of this State requiring a tax receipt tag to be attached to the pelts of fur-bearing animals; providing a suitable penalty for violation of any provision of this Act, and declaring an emergency."

H. B. No. 875, A bill to be entitled "An Act providing relief for the Leesville Common School District No. 27 and the Dewitt Common School District No. 47 in Gonzales County in replacing and repairing damage to buildings and equipment caused by a calamitous flood resulting from a cloud-burst on July 1st, 1936; making an appropriation for said Districts to replace and repair such damage, and declaring an emergency."

S. J. R. No. 4, Proposing an amendment to Article 5 of the Constitution of the State of Texas, by adding a new section to be known as Section 3a, providing how interlocutory injunctions, sustaining or restraining enforcement, operation or execution of any statute of this State or of the United States, based upon the ground of the unconstitutionality of such statute, may be issued; and providing for appeal from order issuing or refusing to issue such interlocutory injunction; and providing that temporary restraining orders in such cases may be granted under the rules and regulations prescribed by the Supreme Court; and providing for appeal to the Supreme Court of the order granting or denying such interlocutory injunction; and providing for an election upon such proposed Constitutional Amendment, and making an appropriation therefor.

I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 1057.

The following have been appointed on the part of the Senate:

Senators Aikin, Beck, Hill, Isbell and Redditt.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILL NO. 140 ON SECOND READING

The Chair laid before the House, in accordance with the provisions of a resolution heretofore adopted, on

its second reading and passage to third reading.

S. B. No. 140, A bill to be entitled "An Act making appropriations for the support, maintenance and improvement of the Eleemosynary Institutions of the State of Texas for the two-year period beginning September 1, 1937, and ending August 31, 1939, and prescribing certain regulations and restrictions in respect to the expenditure of said appropriations, and declaring an emergency."

The bill was read second time.

Question—Shall the bill pass to third reading?

#### SENATE BILL NO. 179 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 179, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund; authorizing the payment of certain sums out of the Highway Fund; authorizing payment of

certain miscellaneous claims out of the funds of the Game, Fish and Oyster Commission, Texas Railroad Commission, State Park Board, Texas Prison System; providing further that payments shall be made after audit of claim shall have been made by the State Auditor and/or Comptroller and approved by the Attorney General; making appropriation to the Governor to pay expenses of returning fugitives on Governor's requisitions; granting certain persons permission to sue the State, and declaring an emergency."

The bill was read second time.

Mr. Waggoner offered the following committee amendment to the bill:

Amend Senate Bill No. 179, by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated to be paid out of the general fund of the State of Texas, to pay numerous claims against the State of Texas, as herein enumerated:

To pay: Quitman Independent School District of Wood County, Texas, Warrant No. 157,722, Dated June ..., 1934; on which payment is prohibited by the statutes of limitation, for the reason that said Warrant was more than two years old prior to its being presented for payment.....	\$ 921.00
To pay: Big Sandy Independent School District of Upshur County, Texas, Warrant No. 216,023, dated August 23, 1933; on which payment is prohibited by the statutes of limitation, for the reason that said Warrant was more than two years old prior to its being presented for payment.....	22.00
To pay: Gilmer Lumber Company, Upshur County, Gilmer, Texas, Texas, Warrant No. 213,733, dated August 21, 1933; on which payment is prohibited, for the reason that said Warrant was more than two years old prior to its being presented for payment.....	19.03
To pay: Forney Henry, Slaton, Texas, Warrant No. 170744, dated July 11, 1934, on which payment is prohibited by statutes of limitation.....	34.00
To pay: R. R. C. Hargrove, Marshall, Texas, Deficiency Certificate No. 1037, dated September 10, 1929, appropriation exhausted.....	45.00
To pay: Albert C. Pierce, Marshall, Texas, Deficiency Certificate No. 1993, dated August 7th, 1930, appropriation exhausted.....	72.00
To pay: U. S. Postmaster—Capitol Station, Austin, Texas, Deficiency Warrant No. 16743, dated June 24, 1936, appropriation exhausted.....	500.00

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To pay: First National Bank, Honey Grove, Texas, Warrant No. 76568, dated December 2, 1932, on which payment is prohibited by statutes of limitation.....	3.48
To pay: Fillmore Music House, 528 Elm Street, Cincinnati, Ohio, Warrant No. 80682, dated January 24, 1934, payment prohibited by statutes of limitation.....	20.83
To pay: J. D. Barker, Canyon, Texas, Warrant No. 150562, dated June 1st, 1934, on which payment is prohibited by statutes of limitation .....	15.00
To pay: South Western Associated Telephone Company, Lubbock, Texas, Warrant No. 176294, dated July 18, 1934, for the sum of \$7.85; Warrant No. 162891, dated June 27, 1934, for the sum of \$3.00; Warrant No. 194592, dated Sept. 22, 1934, for the sum of \$2.50; Warrant No. 189044, dated Sept. 10, 1934, for the sum of \$7.00; Warrant No. 146228, dated May 22, 1934, for the sum of \$4.20; Warrant No. 153642, dated June 11, 1934, for the sum of \$7.45; Warrant No. 194591, dated Sept. 22, 1934, for the sum of \$2.35; Warrant No. 184812, dated Sept. 1, 1934, for the sum of \$4.75; on which payments are prohibited by the statutes of limitation .....	39.10
To pay: The San Benito Bank and Trust Co., San Benito, Texas, Warrant No. 203709, dated July 31, 1933, on which payment is prohibited by statutes of limitation.....	7.70
To pay: Oliver Ditson Company, 359 Boylston Street, Boston, Mass. Warrant No. 112272, dated Feb. 28, 1933, in the sum of \$2.42; Warrant No. 157613, dated Mar. 10, 1933, in the sum of \$1.14; Warrant No. 118193, dated Mar. 11, 1933, in the sum of \$5.83; on which payments are prohibited by the statutes of limitation .....	9.39
To pay: James H. Neel, Dallas National Bank Bldg., Dallas, Texas, Warrant No. 4300, dated Sept. 13, 1933, on which payment is prohibited by the statutes of limitation.....	8.34
To pay: American Produce and Vegetable Co., Inc., 2025 Cadiz Street, Dallas, Texas, Warrant No. 191354, dated July 7, 1933, for the sum of \$9.20; Warrant No. 191353, dated July 7, 1933, for the sum of \$9.20; on which payments are prohibited by the statutes of limitation.....	18.40
To pay: First State Bank, Overton, Texas, Warrant No. 153520, dated January 9, 1934, for the sum of \$1.00; Warrant No. 146288 dated May 22, 1934, for the sum of \$2.80; Warrant No. 21476, dated October 13, 1932, for the sum of \$5.36; Warrant No. 90920, dated February 14, 1934, for the sum of \$12.37 Warrant No. 87886, dated February 5, 1934, for the sum of \$1.28; on which payments are prohibited by the statutes of limitation.....	22.81
To pay: The Peoples National Bank, Belton, Texas, Warrant No. 201943, dated July 31, 1933, for the sum of \$60.00; Warrant No. 202028, dated July 31, 1933, for the sum of \$20.00; on which payments are prohibited by the statutes of limitation.....	80.00
To pay: Phoenix Dairy, Houston, Texas, Warrant No. 65727, dated July 12, 1934, on which payment is prohibited by statutes of limitation .....	112.26

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To pay: McGrattan Brothers, Weatherford, Texas, Warrant No. 57944, dated December 6, 1932, on which payment is prohibited by Statute of limitation .....	46.46
To pay: The Follett National Bank, Follett, Texas, Warrant No. 216072, dated August 23, 1933, on which payment is prohibited by statutes of limitation.....	9.08
To pay: Northwestern University, 619 Clark Street, Evanston, Illinois, Warrant No. 147938, dated May 25, 1934, on which payment is prohibited by statutes of limitation.....	10.00
To pay: The University of Minnesota Press, Minneapolis, Minnesota, Warrant No. 179357, dated June 16, 1933, for the sum of \$3.00; Warrant No. 168678, dated May 25, 1933, for the sum of \$2.50; Warrant No. 166506, dated May 22, 1933, for the sum of \$2.31; Warrant No. 144158, dated April 18, 1933, for the sum of \$1.00; on which payments are prohibited by the statutes of limitation .....	8.81
To pay: Hobart Cabinet Company, Troy, Ohio, Warrant No. 204815, dated August 1, 1933, on which payment is prohibited by statutes of limitation .....	42.75
To pay: Weisstein & Weisstein, 2162 Seventh Ave., New York, N. Y., Warrant No. 110242, dated Mar. 31, 1934, on which payment is prohibited by statutes of limitation.....	56.25
To pay: College of Mines and Metallurgy, El Paso, Texas, Warrant No. 64745, dated April 17, 1930, on which payment is prohibited by statutes of limitation .....	15.93
To pay: The Denver Art Museum, Denver, Colorado, Warrant No. 132853, dated May 16, 1932, for the sum of \$5.00; Warrant No. 150431, dated June 18, 1932, for the sum of \$3.00; on which payments are prohibited by the statutes of limitation.....	8.00
To pay: Robert Carroll, Klondike, Texas, Warrant No. 34688, dated Nov. 10, 1931, on which payment is prohibited by the statutes of limitation .....	1.00
To pay: John Wiley & sons, Inc., 440 Fourth Avenue, New York, N. Y., Warrant No. 214550, dated August 22, 1933, on which payment is prohibited by statutes of limitation.....	20.00
To pay: Mrs. Wm. McGough, No. 2920 Summers, Corpus Christi, Texas, Warrant No. 4719b, dated March 17, 1865, on which payment is prohibited by statutes of limitation.....	100.00
To pay: Chris Sermas, Waco Texas, Deficiency Warrant No. 1384, dated August 29, 1931, on which payment is prohibited by statute of limitation .....	400.00
To pay: Maury Hughes, Dallas, Texas, Assignee and Attorney in fact, for numerous Comptroller's Deficiency Certificates and Treasury Warrants .....	5,496.62
To pay: Norris O'Banion, in behalf of J. W. O'Banion, of Center, Texas, Deceased Ex-Sheriff, for return of a defendant, Dewey Parker, from Muskogee, Oklahoma, in the sum of \$180.00; for the return of the defendant, George McCain, from Sacramento, California, in the sum of \$450.00 .....	630.00
To pay: J. B. Wheatley, Austin, Texas, expenses incurred while traveling on official business in the capacity of a Texas Ranger..	208.70

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To pay: J. V. Dowdy, Athens, Texas, Official Court Reporter, for transcript fees in case of the State vs. Bennett, in the sum of \$28.90; in case of State vs. Clyde Brown, in the sum of \$30.75; and in the case of the State vs. Willis Murphy, in the sum of \$26.25 .....	85.90
To pay: A. O. Newman, District Attorney, Coleman, Texas, Balance due on expense account .....	76.51
To pay: Hardy Hollers, Austin, Texas, Assistant District Attorney, balance due on salary .....	800.00
To pay: Edwin G. Moorhead, Austin, Texas, as Assistant District Attorney, balance due on salary .....	1,539.96
To pay: Wm. Kay Miller, Austin, Texas, as Assistant District Attorney, balance due on salary .....	1,659.94
To pay: J. A. Scott, Clerk of the Court of Civil Appeals, traveling expenses from Fort Worth, to San Antonio .....	19.50
To pay: Joe Hess, Livingston, Texas, transcript fees as Official Court Reporter in Cause No. 6673, of the District Court of Polk County, 9th Judicial District of Texas, the State of Texas vs. Lister Thompson .....	14.40
To pay: W. R. Bryant, Official Court Reporter for the 15th District Court of Grayson County, for transcript fees in Cause No. 22613, State of Texas vs. M. H. Nicely .....	14.40
To pay: W. R. Bryant, Official Court Reporter for the 15th District of Grayson County, for transcript in Cause No. 22615, State of Texas vs. C. R. Barrett .....	16.92
To pay: G. O. Crisp, Judge 86th Judicial District, Kaufman, Texas, for traveling expenses .....	78.51
To pay: S. B. Carr, Judge of the 81st Judicial District, for expenses for the quarter ending August 31, 1936 .....	75.10
To pay: Arthur M. Green, Victoria, Texas, acting as District Attorney, for salary .....	255.00
To pay: L. J. Brucks, Special Judge for the 38th Judicial District, at Uvalde, Texas, for salary .....	65.70
To pay: J. R. Davis, San Antonio, Texas, as Special Chief Justice of the Court of Civil Appeals, Fourth Supreme Judicial District of Texas, salary .....	218.88
To pay: Walter Pridemore, Court Reporter, Criminal Courts Bldg., Houston, Texas, as Court Reporter in The Special Ninth Judicial District Court of Polk County, Texas, in trial of Cause 7080, The State of Texas vs. Isaac Jones .....	21.37
To pay: Walter Pridemore, Court Reporter, Criminal Courts Bldg., Houston, Texas, in Cause No. 41975; The State of Texas vs. Gladys Cantrell .....	6.75
To pay: E. D. McKenzie, Deputy Official Court Reporter of the Criminal District Court of Harris County, 4th Floor Court House, Houston, Texas, Transcript fees in Cause No. 40,297, State v. J. L. Barnes .....	29.70
To pay: Allan D. Montgomery, Wichita Falls, Texas, District Judge in and for the 30th Judicial District, for traveling expenses in his District .....	65.66

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To pay: Mrs. Winifred E. Graves, Athens, Texas, transcript fees as Official Court Reporter in Cause No. 10059 of the District Court of Henderson County, Third Judicial District, The State of Texas vs. Artie Cook .....	300.60
To pay: Mrs. Winifred E. Graves, Athens, Texas, transcript fees as Official Court Reporter in Cause No. .... of the District Court of Henderson County, Third Judicial District, The State of Texas vs. Huey Fulton .....	85.00
To pay: Mrs. Winifred E. Graves, Athens Texas, transcript fees as Official Court Reporter in Cause No. 10026 of the District Court of Henderson County, Third Judicial District, The State of Texas vs. Elmer Pruitt .....	70.00
To pay: Mrs. Winifred E. Graves, Athens Texas, transcript fees as Official Court Reporter in Cause No. 9392, The State of Texas vs. Jess Ratcliff, of the District Court of Houston County, Third Judicial District .....	80.12
To pay: Mrs. Winifred E. Graves, Athens Texas, transcript fees as Official Court Reporter in Cause No. 9529 of the District Court of Houston County, Third Judicial District, The State of Texas vs. Lafette Lamb .....	10.00
To pay: Charles Berry, District Judge in and for the 8th Judicial District of Texas, for expenses while holding Court for Judge George P. Blackburn, of the 6th Judicial District, at Bonham (Greenville, Texas) .....	27.00
To pay: Charles Berry, Greenville, Texas, District Judge, 8th Judicial District, for expenses incurred in work outside the 8th Judicial District .....	45.50
To pay: Henry H. Brooks, Special Judge for Travis County, Texas, during the summer of 1935, balance due on salary.....	166.73
To pay: Court costs in Cause No. 24329-B entitled State of Texas vs Sportsmen's Park, in the District Court of Dallas County for the 95th Judicial District (Geo. W. Howard, Dist. Clk. Dallas, Tex.) .....	216.20
To pay: Paul G. Peurifoy, Special Judge of the Criminal District Court, No. 2, Dallas, Texas, in August of 1935, balance due on salary (Republic Bank Bldg., Dallas, Texas) .....	43.09
To pay: J. Emory Barton, Denton, Texas, transcript fees as Official Reporter in Cause No. 9670 of the District Court of Denton County, 16th Judicial District of Texas, The State of Texas vs. T. M. Harper .....	8.70
To pay: J. Emory Barton, Denton, Texas, transcript fees as Official Reporter in Cause No. 9715, The State of Texas vs. Mon Housden, of the District Court of Denton County, 16th Judicial District of Texas .....	45.00
To pay: Roy H. Giese, District Clerk, La Grange, Texas, two claims for Court costs in case No. 8397, State of Texas vs. Knoche .....	130.71
To pay: Olin Culberson, Utilities Division, R. R. Commission, Austin, Texas, amount spent in excess of the appropriation granted by the Forty-fourth Legislature for the fiscal year ending August 31, 1936 .....	279.23



To pay: Joe White, Sheriff of Coryell County, to fees in felony cases No. S. 5138 & 5139, The State of Texas vs Ethel Johnson, indicted January 26, 1935, for serving two original attachments .....	105.10
To pay: Dr. W. J. Johnson, San Antonio State Hospital, San Antonio, Texas, witness fee in cause styled The State of Texas vs. Kate Johnson, for the sum of \$8.72; and witness fee in cause styled The State of Texas vs John A. (Pete) McKenzie, for the sum of \$16.00 .....	24.72
To pay: Wm. Shely, Sheriff Nueces County, Texas, for expense account in connection with returning Dr. Richards to Texas, from Oklahoma .....	115.64
To pay: J. L. Hazlett, Ex-Sheriff of Houston County, Texas, for fees while Sheriff in Cause No. 8709, State of Texas vs James Middlebrook, in the amount of \$115.68; and Cause No. 8693, State of Texas vs. Frank Northington, in the sum of \$117.00 (Crockett, Texas) .....	232.68
To pay: T. B. Harris, Carson County Sheriff, Panhandle, Texas, to expenses incurred in returning Raymond Hardy and Marshall Ratliff from Los Angeles, Calif., to State of Texas, in accordance with commission issued by Gov. Allred under date of May 11th, 1935 .....	185.00
To pay: Mary E. McGowan, Galveston, Texas, transcript fees as Official Court Reporter in Cause No. 22473 of the District Court of Galveston County, 56th District Court, The State of Texas v. Humphrey Henderson .....	54.90
To pay: L. Morgan Williams, Jourdanton, expense account as District Attorney 81st Judicial Dist., for the quarter ending 31st day of August, 1936 .....	71.50
To pay: Geo. H. Templin, Clerk of the District Courts of Travis County, Texas, Court Costs in Cause No. 44234, the State of Texas vs. Phillips Petroleum Co., Et Al., (Costs incurred Sept. 1, 1927—Aug. 31, 1928) Balance Due .....	2,073.70
To pay: Court of Civil Appeals, Second Supreme Judicial District, Fort Worth, Texas, Claim of Johnson Towell Supply, \$1.50; of the Steck Co., \$2.60; Claim of Stafford-Lowden Co., \$10.50; Claim of Tarrant County, \$16.50; Claim of Sam B. Crow, \$18.00..	49.10
To pay: West Texas Hotel Company, of El Paso, Texas, refund on package store permit, No. 482 .....	125.00
To pay: Empire Pipe Line Company, 814 Littlefield Bldg., Austin, Texas, refund of filing fee illegally exacted .....	400.00
To pay: Employees Loan Company, 207-208 Mills Bldg., El Paso, Texas, refund on State Occupation Tax, No. 454, in the amount..	150.00
To pay: Annie Mae Johnson, San Angelo, Texas, refund on Cosmetology Tax .....	110.00
To pay: James Hearn Powers, Center Texas, refund on Cosmetology Tax .....	10.00
To pay: Ocean Accident & Guaranty Corporation, 703 National Bank of Commerce, San Antonio, Texas, refund of Premium Tax	166.26
To pay: Mrs. Ada Henderson, Snyder, Texas, refund on Taxes paid twice .....	7.77

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To pay: Rio Grande Oil Company, Ft. Worth, Texas, for overpayment of filing fees .....	796.00
To pay: The estate of Mrs. M. E. Davis, Snyder, Texas, refund of overpayment of State Taxes .....	39.10
To pay: Brazos Finance Company, Beaumont, Texas, Refund Occupation Tax .....	150.00
To pay: Southern Finance Company, Beaumont, Texas, Refund Occupation Tax .....	150.00
To pay: Peoples Loan Company, Houston, Texas, Refund Occupation Tax .....	150.00
To pay: Personal Loan Company, Houston, Texas, Refund Occupation Tax .....	150.00
To pay: Capital Finance Company, Houston, Texas, Refund on Occupation Tax .....	150.00
To pay: Character Credit Company, Houston, Texas, Refund on Occupation Tax .....	150.00
To pay: Employees Loan Company, Houston, Texas, Refund on Occupation Tax .....	150.00
To pay: Continental Casualty Company, Chicago, Ill., for Refund of Premiums .....	300.90
To pay: R. M. Shaw, Carthage, Texas, Refund on State Tax.....	6.71
To pay: A. C. Soap, Carthage, Texas, Refund on State Tax for years 1917 to 1934, Inclusive .....	30.13
To pay: R. H. Hughes, Lakeview, Texas, for refund on taxes on non-existing land .....	250.54
To pay: Capital Life Insurance Company, Denver, Colo., for overpayment of Occupation Tax .....	808.15
To pay: Northwest Casualty Company, Seattle, Washington, Premium Tax overpayment .....	74.03
To pay: Mrs. Woodie Richards, Box 4, Pipe Creek, Texas, for Refund of Occupation Tax .....	10.00
To pay: Ed Brown, 4605 Lindsey St., Dallas, Texas, for Refund of Cigarette Dealer's License Tax .....	30.00
To pay: Guy F. Stovall, El Campo, Texas, for Refund of Taxes paid on State land through error .....	86.03
To pay: Hyman Pearlstone, Dallas, Texas, Refund on Ad valorem Taxes .....	41.14
To pay: A. G. McGalis, 5010 Ross Ave., Dallas, Texas, for Refund on Occupation Tax .....	25.00
To pay: Jones-Blair Paint & Varnish Company, Dallas, Texas, for Refund of overpayment of filing fee .....	10.00
To pay: Ideal Food Store, Perryton, Texas, for refund on Cigarette License Tax .....	20.00
To pay: Oran Shupback, Alpine, Texas, for refund on taxes on non-existing land .....	368.17
To pay: Joe Bohacek and J. S. Kubelka, Beasley, Texas, for overpayment of Taxes .....	186.66
To pay: Stewart Title Guaranty Company, San Antonio, Texas, for return of State Taxes paid twice in the years 1933 and 1934..	15.34
To pay: John Wiebener, Wichita Falls, Texas, for refund of overpayment of taxes in the year 1928 .....	120.76

To pay: Export Insurance Company, Houston, Texas, for Refund of Gross Receipts taxes and for Refund of Fire Insurance Commission Maintenance Tax .....	8,252.57
To pay: McLennan County Physicians and Dentists Exchange, for return of overpayment of Franchise Tax, Waco, Texas .....	12.50
To pay: Bryant Link Company, Stamford, Texas, for Refund of overpayment of Franchise Tax .....	275.00
To pay: Baumgarten Matulla Company, Schulenburg, Texas, for refund of overpayment of Franchise Tax, for the years 1932 to 1936, both inclusive .....	607.20
To pay: The Axtell Company, Fort Worth, Texas, for refund of overpayments of Franchise Tax for the years 1932 and 1933, both inclusive .....	72.60
To pay: Graham Fagg, Greenville, Texas, for return of franchise tax paid after charter expired, from 1932 to 1936, inclusive .....	840.79
To pay: William Harwell, Brookshire, Texas, for lost Warrant....	25.33
To pay: J. J. Kaster, El Paso, Texas, for return of franchise tax, paid twice .....	17.25
To pay: Globe News Publishing Co., Amarillo, Texas, for printing Constitutional Amendments in 1934 .....	260.14
To pay: St. Johns Lutheran Home, 1100 Terman Avenue, Pittsburg, Pa., Claim against the State for the Estate of Willet Graham Dec'd .....	50.00
To pay: Edwards Bros., Lumber Company, Rusk, Texas, for lumber furnished State Park No. 22, Bastrop, Texas .....	104.34
To pay: Fred L. Merkins, Greenville, Texas, in Cause No. 7642, Fred L. Merkins, vs. Charley Lockhart, State Treasurer of the State of Texas .....	80.06
To pay: L. E. Vernon, Holland, Texas, only living heir of W. R. Roach, Dec'd., amount escheated to the State .....	224.10
To pay: Charles Hanavan, Inc., San Antonio, Texas, for the burial of Cecil Taylor, National Guardsman .....	100.00
To pay: Gilmer Waterworks, Gilmer, Texas, balance due on water bill for Gilmer Colored Orphanage .....	218.93
To pay: Steck Company, Austin, Texas, for supplies furnished State Board of Dental Examiners .....	87.60
To pay: Central Life Insurance Company of Illinois, Chicago, Ill. Successors to National Aid Life of Springfield, Ill., refund of license fee .....	47.00
To pay: D. A. Landers, 208 Archway, Austin, Texas, for refund on Occupation Tax .....	10.00
To pay: Henry Manion, Massena, N. Y., heir of Walter B. Manion, Dec'd., whose Estate escheated to the State .....	1,363.39
To pay: The European General Reinsurance Company, limited, London, England, 99 John Street, New York, N. Y. Refund of Premium Tax payment .....	55.74
To pay: Dr. C. P. Schenck, 1012 Medical Arts Bldg., Fort Worth, Texas, for surgical services rendered Monte Reid, a National Guardsman .....	150.00
Total .....	\$36,560.59

Sec. 2. That the Comptroller of Public Accounts is hereby authorized and directed to issue warrant or warrants on the State Treasury in favor of each of the persons, firms or corporations named herein in the amounts set opposite their respective names and shall mail or deliver to each of said persons, firms or corporations at their respective addresses warrant or warrants in payment of said claim or claims and said persons, firms or corporations shall duly receipt the Comptroller for said warrant or warrants for said payment of said claim or claims.

Sec. 3. Provided, however, that none of the moneys herein appropriated shall be paid until each item and/or items shall have been audited by the State Auditor and Efficiency Expert and/or by the Comptroller and approved by the Attorney General.

Sec. 4. The fact that the claims herein appropriated for are past due and unpaid and the persons, firms and corporations to whom same are payable are being deprived of the proceeds thereof, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be and the same is hereby suspended and this Act shall be in full force and effect from and after its passage, and it is so enacted.

Mr. Thornton offered the following amendment to the committee amendment:

Amend amendment to Senate Bill No. 179, by adding a new section to read as follows: "To pay W. H. Pohlig & Co., Galveston, Texas, for refund on beer tax—\$19.60."

The amendment was adopted.

Mr. Reed of Dallas offered the following amendment to the committee amendment:

Amend amendment to Senate Bill No. 179, by adding a new section, as follows:

"To pay: Allen Reed, 4022 Pennsylvania Ave., Dallas, Texas, for services rendered as Special Attorney in Prosecuting felony cases in Martin and Fannin Counties where the County Attorney was disqualified. Four cases in Martin County @ \$15.00 each, total \$60.00, one case in Fannin County @ \$40.00, grand total of—\$100.00."

The amendment was adopted.

Mr. Blankenship moved the previous question on the pending amendment and the passage of Senate Bill No. 179 to third reading, and the motion was duly seconded.

Mr. Bradbury raised a point of order, on further consideration of the motion for the previous question, on the ground that the bill has not been given a free and full discussion in accordance with the constitutional provision.

The Speaker overruled the point of order.

Question recurring on the motion for the main question, it was lost.

Mr. Wood moved that further consideration of Senate Bill No. 179 be postponed until 10:00 o'clock a. m., tomorrow.

Mr. Waggoner moved to table the motion by Mr. Wood.

The motion to table prevailed.

Mr. Winfree offered the following amendment to the amendment:

Amend Senate Bill No. 179, by adding a new section:

"To pay: McGinnes Bros., 809 Reid Avenue, Houston, Texas, gasoline tax refund on 5235 gallons of gasoline at Four (4c) Cents per gallon which said claim was rejected by the Comptroller because presented more than six months from the date of purchase—\$209.40."

The amendment was adopted.

Mr. England moved the previous question on the committee amendment and the passage of Senate Bill No. 179 to third reading, and the main question was ordered.

Mr. Fielden moved to reconsider the vote by which the main question was ordered.

Mr. Waggoner moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—75

Alsup	Colquitt
Baker	Davis of Haskell
Bates	Deglandon
Blankenship	England
Boethel	Felty
Bond	Fuchs
Broadfoot	Gibson
Callan	Graves
Cathey	Hamilton
Cleveland	Hanna

Harper  
Harris of Archer  
Harris of Dallas  
Harris of Dickens  
Heflin  
Herzik  
Holland  
Hoskins  
Johnson  
of Tarrant  
Jones of Angelina  
Jones of Atascosa  
Jones of Wise  
Keith  
Kelt  
Kern  
King  
Langdon  
Lankford  
Leonard  
London  
Mauritz  
Mays  
McDonald  
McFarland  
Moffett  
Monkhouse  
Morris  
Morse

## Nays—53

Adkins  
Alexander  
Amos  
Beckworth  
Bell  
Bradbury  
Bradford  
Bridgers  
Brown  
Burton  
Cagle  
Carssow  
Celaya  
Davis of Jasper  
Davisson  
of Eastland  
Dollins  
Farmer  
Fielden  
Fox  
Hankamer  
Hardin  
Hartzog  
Howard  
Huddleston  
Hull  
Jackson  
James

## Absent

Boyer  
Cauthorn  
Davisson of Fisher  
Dean

Nicholson  
Oliver  
Palmer  
Patterson  
of Travis  
Petsch  
Powell  
Quinn  
Reed of Bowie  
Rhodes  
Riddle  
Roark  
Ross  
Russell  
Schuenemann  
Settle  
Sharpe  
Simpson  
Skaggs  
Stocks  
Talbert  
Tarwater  
Tennant  
Thornberry  
Thornton  
Vale  
Waggoner  
Winfree

McKee  
Pope  
Reader  
Reed of Dallas

Shell  
Smith of Hopkins  
Walker

## Absent—Excused

Derden  
Harrell  
Hyder

Leath  
Ragsdale  
Rutta

Question recurring on the committee amendment, yeas and nays were demanded.

The committee amendment, as amended, was then adopted by the following vote:

## Yeas—116

Adkins  
Alsup  
Amos  
Baker  
Bates  
Beckworth  
Bell  
Blankenship  
Bond  
Boyer  
Bridgers  
Broadfoot  
Brown  
Burton  
Cagle  
Callan  
Carssow  
Cathey  
Cauthorn  
Celaya  
Cleveland  
Colquitt  
Davis of Haskell  
Davis of Jasper  
Davisson  
of Eastland  
Deglendon  
Dickison  
Dollins  
England  
Felty  
Gibson  
Graves  
Hamilton  
Hankamer  
Hanna  
Harbin  
Harper  
Harris of Archer  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Heflin  
Herzik  
Holland  
Hoskins  
Howard

Huddleston  
Hull  
Jackson  
James  
Johnson  
of Tarrant  
Jones of Angelina  
Jones of Atascosa  
Jones of Falls  
Jones of Wise  
Keefe  
Keith  
Kelt  
Kenyon  
Kern  
King  
Langdon  
Lankford  
Leyendecker  
Little  
Loggins  
London  
Lucas  
Mann  
Mauritz  
Mays  
McConnell  
McDonald  
McFarland  
McKinney  
Metcalf  
Monkhouse  
Morris  
Morse  
Newton  
Nicholson  
Oliver  
Palmer  
Patterson  
of Travis  
Petsch  
Powell  
Quinn  
Reed of Bowie  
Rhodes  
Riddle  
Roark

Ross  
Russell  
Schuenemann  
Settle  
Sewell  
Sharpe  
Shell  
Simpson  
Skaggs  
Smith  
of Matagorda  
Smith of Tarrant  
Stinson

Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Weldon  
Westbrook  
Winfree  
Wood

## Nays—10

Bradbury  
Farmer  
Fielden  
Fox  
Hardin

Johnson of Ellis  
Knetsch  
Lanning  
Moffett  
Prescott

## Absent

Alexander  
Boethel  
Bradford  
Davison of Fisher  
Dean  
Fuchs  
Leonard  
McCracken  
McKee

Patterson of Mills  
Pope  
Reader  
Reed of Dallas  
Smith of Hopkins  
Stevenson  
Walker  
Worley

## Absent—Excused

Derden  
Harrell  
Hyder

Leath  
Ragsdale  
Rutta

Senate Bill No. 179 was then passed to third reading.

## SENATE BILL NO. 179 ON THIRD READING

Mr. Waggoner moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 179 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—117

Adkins  
Alsup  
Amos  
Baker  
Bates  
Beckworth  
Bell  
Blankenship  
Boethel  
Bond  
Boyer

Bradford  
Bridgers  
Broadfoot  
Burton  
Cagle  
Callan  
Carssow  
Cathey  
Cauthorn  
Cleveland  
Colquitt

Davis of Haskell  
Davisson  
of Eastland  
Deglandon  
Dickison  
Dollins  
England  
Farmer  
Felty  
Fielden  
Fox  
Fuchs  
Gibson  
Graves  
Hamilton  
Hankamer  
Hanna  
Harbin  
Hardin  
Harper  
Harris of Archer  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Heflin  
Herzik  
Holland  
Hoskins  
Howard  
Huddleston  
Hull  
Jackson  
James  
Johnson  
of Tarrant  
Jones of Angelina  
Jones of Falls  
Jones of Wise  
Keefe  
Keith  
Kelt  
Kenyon  
Kern  
King  
Langdon  
Lankford  
Leonard  
Leyendecker  
Loggins

London  
Lucas  
Mauritz  
McConnell  
McCracken  
McDonald  
McFarland  
McKinney  
Monkhouse  
Morris  
Morse  
Newton  
Nicholson  
Oliver  
Patterson  
of Travis  
Pope  
Powell  
Prescott  
Quinn  
Rhodes  
Riddle  
Roark  
Russell  
Schuenemann  
Settle  
Sewell  
Sharpe  
Shell  
Simpson  
Skaggs  
Smith of Hopkins  
Smith of Tarrant  
Stevenson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

## Nays—9

Bradbury  
Brown  
Johnson of Ellis  
Knetsch  
Lanning

Mays  
Moffett  
Patterson of Mills  
Reed of Dallas

## Absent

Alexander  
Celaya  
Davis of Jasper  
Davison of Fisher  
Dean  
Jones of Atascosa

Little  
Mann  
McKee  
Metcalf  
Palmer  
Petsch

Reader	Smith
Reed of Bowie	of Matagorda
Ross	Stinson

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

The Chair then laid Senate Bill No. 179 before the House on third reading and final passage.

The bill was read third time.

Mr. England moved the previous question on the passage of Senate Bill No. 179, and the main question was ordered.

Senate Bill No. 179 was then passed by the following vote:

## Yeas—107

Adkins	Howard
Alexander	Hull
Alsup	Jackson
Baker	James
Bates	Johnson
Beckworth	of Tarrant
Bell	Jones of Angelina
Blankenship	Jones of Atascosa
Boethel	Jones of Falls
Bond	Jones of Wise
Bradford	Keefe
Bridgers	Keith
Broadfoot	Kelt
Burton	Kenyon
Callan	Kern
Carssow	King
Cathey	Langdon
Cauthorn	Lankford
Cleveland	Leonard
Colquitt	Loggins
Davis of Haskell	London
Davis of Jasper	Lucas
Davisson	Mauritz
of Eastland	McConnell
Deglandon	McDonald
Dickison	McFarland
Dollins	McKinney
England	Monkhouse
Farmer	Morris
Felty	Newton
Fuchs	Nicholson
Gibson	Oliver
Graves	Patterson
Hamilton	of Travis
Hankamer	Petsch
Hanna	Powell
Harper	Quinn
Harris of Archer	Reader
Harris of Dallas	Reed of Dallas
Harris of Dickens	Rhodes
Hartzog	Riddle
Heflin	Roark
Herzik	Ross
Hoskins	Russell

Schuenemann	Tennyson
Settle	Thornberry
Sewell	Thornton
Sharpe	Vale
Simpson	Waggoner
Skaggs	Walker
Smith of Hopkins	Weldon
Smith	Westbrook
of Matagorda	Winfree
Stocks	Wood
Talbert	Worley
Tennant	

## Nays—18

Amos	Knetsch
Bradbury	Lanning
Brown	Mays
Cagle	Moffett
Fielden	Patterson of Mills
Fox	Prescott
Harbin	Reed of Bowie
Hardin	Smith of Tarrant
Johnson of Ellis	Tarwater

## Absent

Boyer	McCracken
Celaya	McKee
Davison of Fisher	Metcalfe
Dean	Morse
Holland	Palmer
Huddleston	Pope
Leyendecker	Shell
Little	Stevenson
Mann	Stinson

## Absent—Excused

Derden	Leath
Harrell	Ragsdale
Hyder	Rutta

## REASON FOR VOTE

I voted "nay" on the final passage of Senate Bill No. 179 because the Constitution provides that all bills shall be entitled to a free discussion and the opportunity given to amend same. The opportunity was not given to amend this bill and the Members were not permitted to offer claims submitted to them by their constituents.

## FIELDEN.

## CONCERNING GROUP PICTURE OF MEMBERS

Mr. Fuchs offered the following resolution:

Whereas, The group picture of the Members of the House of Representatives of the Forty-fifth Legislature is complete with one exception; and

Whereas, That exception is the Honorable John Dollins, Representative from McLennan County; and

Whereas, The said Honorable Representative has not heretofore had his

picture made for the said block picture of the House of Representatives; and

Whereas, The House membership and the constituents of the said Mr. Dollins in McLennan County are very desirous of having his handsome countenance appear on the said block picture; now, therefore, be it

Resolved by the House of Representatives, That our esteemed colleague, the Honorable John Dollins, be excused for this afternoon for the purpose of having his picture made; and, be it further

Resolved, That he be instructed by the House to forthwith present himself to the Christianson-Leberman Studio for said purpose, and there is hereby appropriated out of the contingent expense fund of the House of Representatives of the Forty-fifth Legislature the sum of thirty-nine (39c) cents, or so much thereof as may be necessary for the purpose of enabling our fellow Member to get a shine, haircut, shampoo and such other items as he deems necessary in preparation for having the said picture made.

FUCHS,  
RHODES,  
DAVIS of Haskell,  
STOCKS.

The resolution was read second time, and was adopted.

#### SENATE JOINT RESOLUTION ON FIRST READING

The following Senate Joint Resolution, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Joint Resolution No. 4, to the Committee on Constitutional Amendments.

#### RECESS

Mr. Howard moved that the House recess until 2:30 o'clock p. m., today.

Mr. Tennyson moved that the House recess until 2:00 o'clock p. m., today.

Question recurring on the motion to recess until 2:00 o'clock p. m., today, it prevailed, and the House, accordingly, at 12:10 o'clock p. m., took recess until 2:00 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

#### LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Carssow was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Felty.

Mr. Blankenship was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Thornberry.

Mr. Monkhouse and Mr. Heflin were granted leaves of absence for this afternoon and tomorrow, on account of important business, on motion of Mr. London.

Mr. Hyder was granted leave of absence for today, on account of important business, on motion of Mr. Settle.

Mr. Johnson of Ellis, Mr. Rhodes, Mr. McCracken and Mr. Smith of Tarrant were granted leaves of absence for this afternoon, on account of important State business, on motion of Mr. Calvert.

#### SENATE BILL NO. 140 ON PASSAGE TO THIRD READING

The House resumed consideration of Senate Bill No. 140, to make certain appropriations for the support of the various State Eleemosynary Institutions.

The bill having been read second time on this morning.

Mr. Graves offered committee amendment No. 1 to the bill, which amendment was ordered not printed in the Journal, being the same as the printed bill.

Mr. London raised a point of order, on further consideration of item 67-B, lines 11 to 20, inclusive, on page 51 of the committee amendment, on the ground that said Section of the bill is not germane to the original bill.

The Speaker overruled the point of order.

Mr. London raised a point of order, on further consideration of the above mentioned item, on the ground that same violates Article III of Section 51 of the Constitution.

The Speaker declined to rule on the constitutional point of order.

Mr. London raised a point of order, on further consideration of said item, on the ground that same is vague and indefinite.

The Speaker overruled the point of order.



Mr. Graves offered the following committee amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 140, as follows:

Change the figures on page 3 of committee amendment No. 1, at bottom thereof, "Total Maintenance and Miscellaneous", 1938 column, to read \$184,550.00; in column 1939, to read \$186,250.00.

Change the figures on page 4 of committee amendment No. 1, "Grand Totals", to read, 1938 column, \$376,416.00; in column 1939, to read \$399,068.00.

Change the figures on page 11 of committee amendment No. 1, "Total Salaries", 1938 column, to read \$131,228.00.

Change the figures on page 12 of committee amendment No. 1, "Grand Totals", 1938 column to read \$510,478.00.

Change the figures on page 14 of committee amendment No. 1, "Grand Totals", 1938 column, to read \$166,191.00.

Change the figures on page 39 of committee amendment No. 1, "Total Salaries", 1938 column, to read \$234,352.00; in column, 1939, to read \$235,952.00.

Change the figures on page 40 of committee amendment No. 1, "Grand Totals", 1938 column, to read \$760,402.00; 1939 column, to read \$611,702.00.

Change the figures on page 44 of

committee amendment No. 1, "Total maintenance and miscellaneous", 1939 column, to read "\$377,450.00".

Change the figures on page 44 of committee amendment No. 1, "Grand Totals", 1939 column, to read "\$606,921.00".

Change the figures on page 49 of committee amendment No. 1, "Total salaries", 1938 column, to read \$23,360.00; 1939 column, to read \$28,360.00.

Change the figures on page 49 of committee amendment No. 1, "Grand Totals", 1938 column, to read \$120,260.00; 1939 column, to read \$119,060.00.

Change the figures on page 50 of committee amendment No. 1, Item 6, 1938 column, to read \$90,240.00; and the same in 1939 column.

Change the figures on page 51 of committee amendment No. 1, "Total Salaries", 1938 column, to read \$193,216.00; 1939 column, to read \$196,624.00.

Change the figures on page 52 of committee amendment No. 1, "Grand Totals", 1938 column, to read \$659,316.00; 1939 column, to read \$675,624.00.

Change on page 62a of committee amendment No. 1, line 2, "Item 6b" to read "67b".

Strike out page 69 of committee amendment No. 1, and insert in lieu thereof pages 69a and 69b as Recapitulation.

#### RECAPITULATION—ELEEMOSYNARY APPROPRIATION

	For the Years Ending	
	August 31, 1938	August 31, 1939
Abilene State Hospital, Abilene .....	\$399,068.00	\$376,416.00
Alabama and Coushatti Indians, Livingston .....	14,940.00	11,440.00
Austin State Hospital .....	705,328.00	793,159.00
Austin State School (Main) .....	510,478.00	564,898.00
Austin State School Farm Colony (Branch of Austin State School) .....	215,975.00	105,191.00
State Colored Orphans' Home, Gilmer .....	166,191.00	37,858.00
Texas Confederate Home .....	71,468.00	66,268.00
Confederate Women's Home .....	54,916.00	50,916.00
Deaf, Dumb and Blind Institute for Colored Youths..	104,679.00	96,979.00
Galveston State Psychopathic Hospital .....	208,966.00	156,716.00
Girls Training School, Gainesville .....	158,327.00	103,327.00
State Home for Dependent and Neglected Children, Waco .....	191,678.00	141,978.00
State Hospital for Crippled and Deformed Children, Galveston .....	78,095.00	78,095.00

	For the Years Ending	
	August 31, 1938	August 31, 1939
State Juvenile Training School, Gatesville .....	214,592.00	198,092.00
State Orphans' Home, Corsicana .....	255,234.00	240,734.00
Rusk State Hospital, Rusk .....	796,544.00	643,890.00
San Antonio State Hospital, San Antonio .....	760,402.00	611,702.00
Terrell State Hospital, Terrell .....	762,298.00	606,921.00
State Tuberculosis Sanatorium, Sanatorium, Texas .....	697,315.00	777,845.00
Kerrville State Sanatorium, Kerrville .....	120,260.00	119,060.00
Wichita Falls State Hospital, Wichita Falls .....	659,361.00	675,624.00
Texas School for the Blind, Austin .....	122,225.00	119,425.00
Texas School for the Deaf, Austin .....	208,534.00	208,534.00
Grand Totals .....	\$7,476,874.00	\$6,785,068.00
Combined Grand Total for Biennium .....	\$14,261,942.00	

The amendment was adopted.

Mr. Morris offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 140, page 63, line 34, by striking out the figures "\$1,305.00" wherever they appear and substitute in lieu thereof the figures "1,500.00."

MORRIS,  
LANKFORD,  
TENNYSON,  
BROADFOOT,  
DICKISON,  
JOHNSON of Ellis,  
WESTBROOK,  
SMITH of Hopkins.

Mr. Settle moved to table the amendment by Mr. Morris.

The motion to table was lost.

Question then recurring on the amendment, it was adopted.

Mr. Brown offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 140, line 18, item 5, page 36, by striking out the figures "\$40.00" and insert in lieu therefor the figures "\$50.00", and by striking out the figures "\$55.00" in line 19 on page 36 and insert in lieu therefor the figures "\$60.00" and make the same changes in the same items pertaining to all State Hospitals for the Insane wherever they may occur in said bill, and this change shall also apply to the same position in the Epileptic and Tubercular Hospitals of the State.

The amendment was adopted.

Mr. Thornberry offered the follow-

ing amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 140, page 63, line 36, by striking out the figures "\$1,350.00" and inserting in lieu thereof "\$1,550.00", and line 32, by striking out the figures "\$1,650.00" and inserting in lieu thereof the figures "\$1,850.00".

A division of the question was called for in the amendment by Mr. Thornberry.

Question first recurring on the section providing for \$1,550.00, it was adopted.

Question next recurring on the Section of the amendment providing for \$1,850.00, it was adopted.

The amendment in its entirety was then adopted.

Mr. Brown offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 140, page 36, lines 29 and 30, item 12, by striking out the figures "\$40.00" and "\$50.00" and insert in lieu therefor the figures "\$50.00" and "\$60.00" respectfully, and make the same changes in the same items pertaining to all State Hospitals for the Insane wherever they occur in said bill.

Mr. Settle moved to table the amendment by Mr. Brown.

The motion to table was lost.

Mr. Thornberry offered the following substitute for the amendment by Mr. Brown:

Substitute for Brown amendment to committee amendment to Senate Bill No. 140, page 36, lines 29 and

30, item 12, by striking out the figures "\$40.00" and "\$50.00" and insert in lieu thereof the figures "\$50.00" and "\$60.00" respectfully, and make the same changes in the same character of employees in all eleemosynary institutions wherever they occur in the bill.

The substitute amendment was adopted.

The amendment, as substituted, was then adopted.

Mr. Bradbury offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 140, page 51, by striking out lines 11 to 20 inclusive.

BRADBURY,  
ALSUP,  
KERN.

Mr. Beckworth offered the following substitute for the amendment by Mr. Bradbury:

Amend Senate Bill No. 140, committee amendment No. 1, page 51, line 11, by striking out all that which appears from line 11 to line 20 inclusive, and inserting in lieu thereof the following:

"2 buildings for patients with active cases at \$100,000.00 each first year,—\$200,000.00.

"Hospitalization for 200 T. B. patients, at \$1.48 per patient per day, second year—\$108,080.00."

Mr. Hankamer moved to table the substitute amendment by Mr. Beckworth.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—28

Boyer	McKinney
Bradford	Morse
Bridgers	Nicholson
Celaya	Reader
Dickison	Reed of Dallas
Hankamer	Roark
Hanna	Schuenemann
Harbin	Settle
Harris of Dallas	Sewell
Howard	Shell
Jackson	Smith of Hopkins
Jones of Atascosa	Stevenson
Jones of Falls	Stinson
Leonard	Thornton

Nays—97

Adkins	Alsup
Alexander	Amos

Baker	Lanning
Bates	Leyendecker
Beckworth	Little
Bell	Loggins
Boethel	London
Bond	Lucas
Bradbury	Mauritz
Broadfoot	McConnell
Brown	McDonald
Burton	McFarland
Cagle	McKee
Callan	Metcalfe
Cathey	Moffett
Cauthorn	Morris
Cleveland	Newton
Colquitt	Oliver
Davis of Haskell	Palmer
Davison of Fisher	Patterson of Mills
Davison	Patterson
of Eastland	of Travis
Deglandon	Petsch
Farmer	Pope
Felty	Powell
Fielden	Prescott
Fox	Quinn
Fuchs	Reed of Bowie
Gibson	Riddle
Graves	Ross
Hamilton	Russell
Hardin	Rutta
Harper	Sharpe
Harris of Archer	Simpson
Harris of Dickens	Skaggs
Hartzog	Smith
Herzik	of Matagorda
Holland	Stocks
Hoskins	Talbert
Huddleston	Tarwater
James	Tennant
Jones of Angelina	Tennyson
Jones of Wise	Thornberry
Keefe	Waggoner
Kelt	Walker
Kern	Weldon
King	Westbrook
Knetsch	Winfree
Langdon	Wood
Lankford	Worley

Absent

Davis of Jasper	Keith
Dean	Kenyon
Dollins	Mann
England	Mays
Hull	Vale
Johnson	
of Tarrant	

Absent—Excused

Blankenship	Hyder
Carssow	Johnson of Ellis
Derden	Leath
Harrell	McCracken
Heflin	

Monkhouse  
Ragsdale

Rhodes  
Smith of Tarrant

Question then recurring on the substitute amendment by Mr. Beckworth, it was adopted.

Question then recurring on the amendment, as substituted, it was adopted.

Mr. Beckworth moved to reconsider the vote by which the amendment, as substituted, was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Cagle offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 140, by adding between lines 4 and 5 the following: "41a. Watchman, day \$600.00—\$600.00."

CAGLE,  
HUDDLESTON,  
DOLLINS.

The amendment was adopted.

Question—Shall the committee amendment be adopted?

#### MESSAGE FROM THE SENATE

Austin, Texas, May 6, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 504, A bill to be entitled "An Act creating a Board for the lease of the land composing the permanent encampment for the Thirty-sixth Division, Texas National Guard, known as Camp Hulén, situated at or near Palacios in Matagorda County, Texas, and providing for the lease or sale of oil and gas and sulphur and other minerals therein and defining the duties and powers of said Board; prescribing the mode and manner of leasing and selling oil, gas and sulphur in said lands, and the disposition to be made of the proceeds of such sales; making an appropriation to defray the expenses of enforcing this Act; and declaring an emergency."

And has refused to adopt motion to pass House Bill No. 67, notwithstanding the veto by the Governor, by the following vote: Yeas, 18; nays, 12.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 504, to the Committee on Public Lands and Buildings.

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 407

Mr. Boyer submitted the following conference committee report on Senate Bill No. 407:

Committee Room,

Austin, Texas, May 6, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House on Senate Bill No. 407, have had the same under consideration and beg leave to report it back to the Senate and House with the recommendation that it be adopted in the form hereto attached.

SMALL,  
ISBELL,  
WINFIELD,  
RAWLINGS,  
NEAL,

On the part of the Senate.

BOYER,  
TARWATER,  
LANNING,  
LITTLE,

On the part of the House.

Senate Bill No. 407

#### A BILL

#### To Be Entitled

An Act fixing the total daily volume of sour gas which may be withdrawn from any common reservoir in this State producing both sweet and sour gas to be used in the manufacture of carbon black; authorizing the Railroad Commission to enforce the law and to allocate the total field allowable production among the various sour gas wells in such common reservoirs on a basis set forth in the law; providing for an additional daily field allowable in the event there is a lawful demand for sour gas for non carbon black

purposes, and for the distribution thereof; regulating the commingling of sweet and sour gas in any plant for the purpose of processing the gasoline content of same; regulating the commingling of casinghead gas with either sweet or sour gas or both, in such a plant; providing for the issuance of permits to such plants by the Railroad Commission and making it unlawful for any such plant to operate without such a permit; providing for hearings and the issuance of orders by the Commission; prohibiting production from sour gas wells in excess of the amount fixed by the Railroad Commission; prescribing penalties and suits for their collection and for injunctions to restrain violations; providing for suits to test the validity of any rules, regulations or orders; defining terms; providing for separability, and repealing all laws in conflict with this Act, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Where used in this Act, the following words shall have the meaning given to them by Section 2, Chapter 120, Acts, Forty-fourth Legislature, Regular Session, to-wit: "Commission", "person", "common reservoir", "gas well", "oil well", "sour gas", "sweet gas", "natural gasoline", "cubic foot of gas", "casinghead gas".

Sec. 2. In any common reservoir in this State producing both sweet and sour gas, there shall never be produced from such common reservoir for utilization in carbon black manufacture, a maximum daily volume of sour gas from such gas wells in excess of seven hundred fifty million (750,000,000) cubic feet which daily volume of sour gas from gas wells shall be prorated by the Commission among all the sour gas wells in such reservoir so as to prevent cognizable and preventable drainage of gas from tracts of land in such sour gas producing area segregated as to surface position and common ownership on which such sour gas wells are located; provided that if the daily demand for sour gas from gas wells for utilization in carbon black manufacture is less than the daily maximum allowable hereinabove permitted, the total daily volume of gas from gas wells

from such sour gas area for utilization in carbon black manufacture shall be equal to such daily demand, which demand shall be determined by the Commission and shall be prorated among all the sour gas wells in such area as hereinabove provided.

If a lawful daily demand exists for sour gas from gas wells for purposes of utilization permitted by existing law, other than the manufacture of carbon black, such additional demand shall be added to such daily demand for carbon black manufacture as hereinabove set forth, which sum shall constitute the daily volume of sour gas from gas wells which may be withdrawn from such common reservoir for utilization. Such daily volume shall be prorated by the Commission among the sour gas wells in such area on the basis hereinabove set forth.

It shall be unlawful for any person to produce sour gas from any sour gas well in such reservoir in excess of the daily allowable production for such gas well as fixed by the orders and schedules of the Commission. The rate of production from any sour gas well shall be deemed to be the daily average rate of production for the calendar month.

Sec. 2a. In administering the provisions of this law the Commission shall hold hearings, make determinations, and make and promulgate orders, rules and regulations as provided in Sections 12, 13, and 14 of Chapter 120, Acts, Forty-fourth Legislature, Regular Session. The Commission shall otherwise have the duty to make and promulgate any rule, regulation or order it may find necessary to carry out the provisions of this law, after notice and hearing for such purpose.

Sec. 3 (a) In any common reservoir in this State producing both sweet and sour gas, it shall be unlawful for any person to operate a plant for the extraction of the natural gasoline content of gas in which plant casinghead gas is commingled with either sweet gas or sour gas, or both, or where sweet gas and sour gas are commingled, until such person secures from the Commission a permit authorizing the operation of such plant. It shall be the duty of the Commission to issue such permit when it shall appear that such plant is being operated, and the residue gas from same is and

shall be disposed of, in accordance with the provisions of this section.

(b) Where any such plant in such common reservoir commingles casinghead gas with sweet gas or sour gas, or both, it shall not be lawful for the operator of such plant to blow, or permit to be blown, into the air any of the residue gas remaining after the gasoline content of such gas is extracted; provided, however, the operator of such plant shall be permitted to blow into the air such amount of residue gas from said plant as is determined by the Commission to be necessary in order to accomplish uninterrupted deliveries in required amounts to carbon black plants for carbon black manufacture.

(c) Where any such plant in such common reservoir commingles casinghead gas with sweet gas or where any such plant commingles sweet gas with sour gas, it shall be the duty of the Commission to ascertain the quantity of residue gas which is required to be used for fuel purposes in the efficient operation of the plant and also the quantity of residue gas which is required to be returned by the operator of such plant to the leases to which the plant is connected for use as fuel in the operation of such leases. The operator of such plant shall be required to utilize or cause to be utilized for one or more of the uses provided for sweet gas by existing law a quantity of the residue gas from such plant which is equal to the quantity of sweet gas which is taken into said plant for processing, less the extraction loss from such processing, but such operator shall not be credited with use of such residue for plant-fuel or lease fuel operations in an amount in excess of the quantity of such residue gas found by the Commission to be necessary for the efficient operation of such plant and return to such leases for fuel for lease operations.

(d) The commingling in any such plant of casinghead gas with sweet gas or sour gas, or both, or of sweet gas with sour gas, except upon the conditions and requirements set forth in Section 3 of this Act, is hereby declared to be unlawful. Whenever it shall be made to appear to the Commission that any such plant is operating in violation of any of the provisions of this section, it shall be the duty of the Commission to cancel the permit so issued to such plant, and it

shall thereafter be unlawful for the operator of such plant to commingle either casinghead gas with sweet gas or sour gas or to commingle sweet gas and sour gas in any such plant for the purpose of extracting the natural gasoline content thereof.

Section 4. From time to time the Commission shall hold hearings, after notice to interested operators, for the purpose of hearing evidence, and to promulgate rules, regulations and orders to enforce the provisions of this law. In addition to the authority given by existing law, the Commission or its agents shall have the right to inspect the books and records of any person who is affected by the provisions hereof and to require sworn reports to be filed, such sworn reports to be filed from time to time as the Commission may find necessary. All rules, regulations and orders promulgated by the Commission under the terms of this law shall be deemed prima facie valid.

Sec. 5. Any person violating any of the provisions of this Act shall be liable to a penalty not to exceed One Thousand (\$1,000.00) Dollars for each offense and each day's violation shall constitute a separate offense. Such penalty may be recovered by the State of Texas, with costs of suit, in a civil action instituted by the Attorney General in Travis County or in the county where the violation occurred. Any and all violations, and threatened violations, of this Act may be enjoined by any court of competent jurisdiction in which suit for penalty may be brought, and in such cases the court shall issue such writs or injunction, prohibitory or mandatory, as the facts justify.

Sec. 6. Any person affected thereby may sue to test the validity of any rule, regulation or order promulgated by the Commission under this Act in the same manner, upon the same conditions, and to the same Court or Courts, as prescribed for suits testing the validity of rules, regulations and orders of the Commission promulgated under the general oil conservation statutes of this State.

Sec. 7. All laws or parts of laws in conflict with any of the provisions of this Act are hereby repealed; but where same are not in conflict the provisions of this Act shall be cumulative of existing laws.

Sec. 8. If any clause, sentence, provision or section of this Act should

for any reason be held to be invalid or unconstitutional it shall not affect in any wise the remaining parts of this Act and such remaining parts shall remain in full force and effect.

Sec. 9. The fact that the use of sour gas for carbon black manufacture from the common reservoirs of this State producing both sweet gas and sour gas is rapidly increasing and it is desirable to further limit the volume of such gas which can be used for carbon black manufacture, and the fact that in such common reservoirs the commingling of casinghead gas, sweet gas and sour gas in plants extracting the natural gasoline content of such gas makes difficult the detection of violations of the provisions of the laws of this State which prescribe the use to which such gas may be put, creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule that bills be read on three several days in each House, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Boyer moved that the conference committee report be adopted.

Mr. Worley moved that the conference committee report be not adopted and that a new conference committee be appointed to adjust the differences between the two Houses.

(Mr. Hull in the Chair.)

Mr. Little moved to table the motion by Mr. Worley.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—64

Alexander	Graves
Alsup	Hankamer
Boethel	Hanna
Bond	Harbin
Boyer	Harris of Dallas
Broadfoot	Harris of Dickens
Cathey	Hartzog
Celaya	Hoskins
Colquitt	Howard
Davison of Fisher	Jackson
Davison	James
of Eastland	Kenyon
Dickison	Kern
Farmer	King
Felty	Knetsch
Gibson	Lanning

Leonard  
Leyendecker  
Little  
Lucas  
Mauritz  
McConnell  
McFarland  
McKee  
McKinney  
Moffett  
Morris  
Morse  
Nicholson  
Patterson  
of Travis  
Pope  
Prescott  
Quinn

Reader  
Reed of Bowie  
Reed of Dallas  
Russell  
Settle  
Smith  
of Matagorda  
Stevenson  
Stinson  
Tennant  
Tennyson  
Thornton  
Waggoner  
Walker  
Weldon  
Winfree  
Wood

## Nays—49

Amos	Lankford
Baker	Loggins
Beckworth	London
Bell	Mays
Bradbury	McDonald
Burton	Metcalfe
Cagle	Oliver
Cauthorn	Palmer
Cleveland	Petsch
Deglandon	Powell
Dollins	Riddle
Fielden	Roark
Fox	Ross
Hamilton	Rutta
Hardin	Schuenemann
Harper	Sewell
Herzik	Sharpe
Holland	Shell
Huddleston	Skaggs
Jones of Angelina	Smith of Hopkins
Jones of Atascosa	Stocks
Jones of Falls	Talbert
Jones of Wise	Thornberry
Keefe	Worley
Langdon	

## Present—Not Voting

Adkins	Harris of Archer
Callan	Hull
Davis of Haskell	Kelt
Davis of Jasper	Westbrook

## Absent

Bates	Keith
Bradford	Mann
Bridgers	Newton
Brown	Patterson of Mills
Dean	Simpson
England	Tarwater
Fuchs	Vale
Johnson	Blankenship
of Tarrant	Carssow

## Absent—Excused

Derden	McCracken
Harrell	Monkhouse
Heflin	Ragsdale
Hyder	Rhodes
Johnson of Ellis	Smith of Tarrant
Leath	

Mr. Worley moved that further consideration of the conference committee report on Senate Bill No. 407 be postponed until 10:00 o'clock a. m., next Monday.

Mr. Little moved to table the motion by Mr. Worley.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows: Yeas, 55; nays, 58.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

## Yeas—53

Alexander	Mauritz
Alsup	McConnell
Boethel	McFarland
Bond	McKee
Boyer	McKinney
Celaya	Moffett
Colquitt	Morse
Davison of Fisher	Nicholson
Dickison	Patterson
Felty	of Travis
Gibson	Pope
Hankamer	Quinn
Hanna	Reader
Harbin	Reed of Bowie
Harris of Dallas	Reed of Dallas
Hartzog	Russell
Hoskins	Settle
Howard	Smith
Jackson	of Matagorda
James	Stevenson
Kenyon	Stinson
Kern	Tennant
King	Thornton
Knetsch	Waggoner
Lanning	Walker
Leonard	Weldon
Leyendecker	Winfree
Little	

## Nays—58

Adkins	Burton
Amos	Cagle
Baker	Cauthorn
Beckworth	Cleveland
Bell	Davis of Haskell
Bradbury	Davis of Jasper

Deglandon	Metcalfe
Farmer	Morris
Fielden	Oliver
Fox	Palmer
Graves	Petsch
Hamilton	Powell
Hardin	Prescott
Harper	Riddle
Herzik	Roark
Holland	Ross
Huddleston	Rutta
Jones of Angelina	Schuenemann
Jones of Atascosa	Sewell
Jones of Falls	Shell
Jones of Wise	Simpson
Keefe	Skaggs
Langdon	Smith of Hopkins
Lankford	Stocks
Loggins	Talbert
London	Tennyson
Lucas	Thornberry
Mays	Wood
McDonald	Worley

## Present—Not Voting

Callan	Tarwater
Hull	Westbrook
Kelt	

## Absent

Bates	Fuchs
Bradford	Harris of Archer
Bridgers	Harris of Dickens
Broadfoot	Johnson
Brown	of Tarrant
Cathey	Keith
Davisson	Mann
of Eastland	Newton
Dean	Patterson of Mills
Dollins	Sharpe
England	Vale

## Absent—Excused

Blankenship	Leath
Carssow	McCracken
Derden	Monkhouse
Harrell	Ragsdale
Heflin	Rhodes
Hyder	Smith of Tarrant
Johnson of Ellis	

The Chair announced that the motion to table was lost.

Question recurring on the motion by Mr. Worley, that further consideration of the report be postponed until 10:00 o'clock a. m., next Monday, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—55

Adkins	Baker
Amos	Beckworth



Bell	Lucas
Bradbury	Mays
Broadfoot	McDonald
Burton	Metcalfe
Cagle	Morris
Cauthorn	Oliver
Cleveland	Palmer
Davis of Haskell	Patterson
Davisson	of Travis
of Eastland	Petsch
Deglandon	Powell
Farmer	Prescott
Fielden	Riddle
Fox	Roark
Fuchs	Ross
Graves	Rutta
Hamilton	Schuenemann
Hardin	Sewell
Harper	Shell
Herzik	Simpson
Holland	Skaggs
Huddleston	Smith of Hopkins
Jones of Angelina	Talbert
Jones of Atascosa	Tennant
Jones of Falls	Tennyson
Jones of Wise	Thornberry
Langdon	Waggoner
Lankford	Worley
London	

## Nays—51

Alexander	Leonard
Alsup	Leyendecker
Boethel	Little
Bond	Mauritz
Boyer	McConnell
Cathey	McKee
Celaya	McKinney
Colquitt	Moffett
Davis of Jasper	Morse
Dickson	Nicholson
England	Pope
Gibson	Quinn
Hankamer	Reader
Hanna	Reed of Bowie
Harbin	Reed of Dallas
Harris of Dallas	Russell
Harris of Dickens	Smith
Hartzog	of Matagorda
Hoskins	Stevenson
Jackson	Stinson
James	Stocks
Kenyon	Thornton
Kern	Walker
King	Weldon
Knetsch	Winfree
Lanning	Wood

## Present—Not Voting

Callan	Tarwater
Hull	Westbrook
Kelt	

## Absent

Bates	Keefe
Bradford	Keith
Bridgers	Loggins
Brown	Mann
Davison of Fisher	McFarland
Dean	Newton
Dollins	Patterson of Mills
Felty	Settle
Harris of Archer	Sharpe
Howard	Vale
Johnson	
of Tarrant	

## Absent—Excused

Blankenship	Leath
Carssow	McCracken
Derden	Monkhouse
Harrell	Ragsdale
Heflin	Rhodes
Hyder	Smith of Tarrant
Johnson of Ellis	

## MESSAGE FROM THE SENATE

Austin, Texas, May 6, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on Senate Bill No. 407 by the following vote: Yeas, 30; nays, 0.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 650, "An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas in the issuance and sale of bonds; validating such bonds and the tax levies made for the payment of such bonds; providing the provisions hereof shall not apply to any such proceedings or obligations the validity of which has been contested in any pending suit or litigation, and declaring an emergency."

H. B. No. 759, "An Act defining a Wholesale Fur Buyer, a Retail Fur Buyer and a Trapper; providing licenses for those engaged in such business and defining the privileges

granted under such licenses; providing for the disposition of funds collected from the sale of such licenses; repealing all laws in conflict with this Act, and specifically that portion of the law of this State requiring a tax receipt tag to be attached to the pelts of fur-bearing animals; providing a suitable penalty for violation of any provision of this Act, and declaring an emergency."

H. B. No. 875, "An Act providing relief for the Leesville Common School District No. 27 and the Dewitt Common School District No. 47 in Gonzales County in replacing and repairing damage to buildings and equipment caused by a calamitous flood resulting from a cloud-burst on July 1st, 1936; making an appropriation for said Districts to replace and repair such damage, and declaring an emergency."

#### HOUSE BILL NO. 982 WITH SENATE AMENDMENTS.

Mr. Nicholson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 982, A bill to be entitled "An Act amending Section 1 of Chapter 129, page 356, Acts of the Regular Session of the Forty-fourth Legislature; repealing all laws, or parts of laws, in conflict herewith, and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

Mr. Nicholson moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

#### CONFERENCE COMMITTEE RE- PORT ON SENATE BILL NO. 476

Mr. Morse, Chairman, submitted the following Conference Committee Report on Senate Bill No. 476:

Committee Room,

Austin, Texas, May 6, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: We, your Conference Commit-

tee, appointed to adjust the differences between the House and Senate on Senate Bill No. 476, beg leave to report that we have considered the same and recommend that it do pass in the form as attached hereto.

Respectfully submitted,

WINFIELD,  
REDDITT,  
MOORE,  
COTTEN,  
BROWNLEE,

On the part of the Senate.

MORSE,  
WOOD,  
STEVENSON,  
BOETHEL,  
MANN,

On the part of the House.

S. B. No. 476

#### A BILL

#### To Be Entitled

An Act amending Chapter 174, Acts, Regular Session, Forty-fourth Legislature by adding thereto a new Section to be known and designated as Section 1a following Section 1 of said Act, and amending Section 3 of Chapter 174, Acts, Regular Session, Forty-fourth Legislature, reappropriating the unexpended balances of the appropriation for Three Million (\$3,000,000.00) Dollars made in said Act according to the allocation of said fund as made in Section 1 thereof and creating the Commission of Control for Texas Centennial Celebrations and prescribing the duties of said Commission and amending Section 18 of Chapter 174, Acts, Regular Session, Forty-fourth Legislature in order to reappropriate the unexpended balance of the One Hundred Thousand (\$100,000.00) Dollars heretofore appropriated to the use of the State Board of Control for the purpose of paying expenses for the administration of the duties imposed upon said Board under the Act, and providing for an audit, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Chapter 174, Acts, Regular Session of the Forty-fourth Legislature be amended by adding thereto a new Section to be known and designated as Section 1a to be

inserted following Section 1 of said Act to read as follows:

"Sec. 1a. That the unexpended balance of the Three Million (\$3,000,000.00) Dollars appropriation made in Section 1 of Chapter 174, Acts, Regular Session of the Forty-fourth Legislature be and the same is hereby reappropriated and reallocated as provided in said Section according to the unexpended balances remaining in each item of said allocation for the biennium ending December 31, 1938. The sums of money hereby reappropriated are to be expended for the purposes and in the manner provided for in said Chapter 174, Acts, Regular Session of the Forty-fourth Legislature."

Section 2. That Section 3 of Chapter 174, Acts, Regular Session of the Forty-fourth Legislature be and the same is hereby amended so as to hereafter read as follows:

"Section 3. That the Commission of Control created under the provisions of Section 3 of Chapter 174, Acts, Regular Session of the Forty-fourth Legislature is hereby recreated to be composed of the nine (9) members that now compose said Commission under the Original Act, except that the place of the Speaker of the House of Representatives on said Commission shall be filled by the Member of the House of Representatives from the 86th State Representative District. Vacancies arising on the Commission shall be filled by the authority making the first appointment under the Original Act, or in the case of ex-officio members of the Commission, to be filled by the officials' successors in office. Said Commission of Control is hereby authorized to perform all of the duties necessary to carry out the provisions and purposes of Chapter 174, Acts, Regular Session, Forty-fourth Legislature and the powers and authorities of said Commission are extended for a sufficient period of time in order that it may accomplish these purposes. The Commission of Control for Texas Centennial Celebrations is hereby specifically authorized and directed to make application to the Federal Government for funds and to receive said funds to be expended by the Board of Control of the State of Texas as provided for in Section 6 of Chapter 174, Acts, Regular Session of the Forty-fourth Legislature."

Section 3. That Section 18 of Chap-

ter 174, Acts, Regular Session of the Forty-fourth Legislature be and the same is hereby amended so as to hereafter read, as follows:

"Section 18. The unexpended portion of the One Hundred Thousand (\$100,000.00) Dollars heretofore appropriated to the Centennial Commission is hereby reappropriated to the State Board of Control in order to provide funds for the administration of this Act and as an expense fund for the use of said Board in the performance of the duties imposed on it."

Section 4. It is hereby declared the intention of the Legislature that an audit be made of the expenditure of the funds appropriated under the provisions of House Bill No. 11, Acts of the Regular Session of the Forty-fourth Legislature, and all funds appropriated hereby. Said audit shall be made by the State Auditor or under his direction. It shall be the duty of such Auditor or those working under his direction to make such audit of the expenditure of funds appropriated under the provisions of House Bill No. 11, Acts of the Regular Session of the Forty-fourth Legislature and hereby appropriated as soon as practicable, and furnish the Legislature with a copy of said report. There is hereby appropriated out of the unexpended balance of said funds One Thousand (\$1,000.00) Dollars or so much as may be necessary for the purpose of making such audit.

Section 5. The fact that there remains out of the original appropriation of Three Million (\$3,000,000.00) Dollars an unexpended balance and the further fact that said funds were originally appropriated for the purpose of commemorating the historic event of Texas Independence and as a part of said commemoration the purpose was to construct and build monuments and other memorials commemorating said event, and the fact that the Federal Government has made appropriations to aid and assist the State in carrying out this purpose and the fact that many of these projects are still in the process of construction and the fact that the amount of money appropriated will lapse unless reappropriated, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall be in full force and effect from and

after its passage and it is so enacted.

On motion of Mr. Morse, the report was adopted by the following vote:

## Yeas—109

Adkins	Lanning
Alexander	Leonard
Amos	Leyendecker
Beckworth	Little
Bell	Loggins
Boethel	London
Boyer	Lucas
Bradbury	Mays
Bradford	McConnell
Broadfoot	McDonald
Brown	McFarland
Burton	McKee
Cagle	McKinney
Callan	Metcalfe
Cathey	Moffett
Cauthorn	Morris
Cleveland	Morse
Colquitt	Nicholson
Davis of Jasper	Palmer
Davison of Fisher	Patterson
Davisson	of Travis
of Eastland	Petsch
Deglandon	Pope
Dickison	Prescott
England	Quinn
Farmer	Reader
Felty	Reed of Bowie
Fielden	Reed of Dallas
Fuchs	Riddle
Gibson	Roark
Graves	Ross
Hamilton	Russell
Hankamer	Rutta
Hanna	Schuenemann
Harbin	Settle
Harris of Archer	Sewell
Harris of Dallas	Sharpe
Harris of Dickens	Simpson
Hartzog	Skaggs
Herzik	Smith of Hopkins
Holland	Smith
Huddleston	of Matagorda
Jackson	Stevenson
James	Stinson
Jones of Angelina	Talbert
Jones of Atascosa	Tarwater
Jones of Falls	Tennant
Jones of Wise	Tennyson
Keefe	Thornberry
Kelt	Thornton
Kenyon	Waggoner
Kern	Walker
King	Weldon
Knetsch	Westbrook
Langdon	Winfree
Lankford	Wood

## Present—Not Voting

Hull

## Absent

Alsup	Johnson
Baker	of Tarrant
Bates	Keith
Bond	Mann
Bridgers	Mauritz
Celaya	Newton
Davis of Haskell	Oliver
Dean	Patterson of Mlils
Dollins	Powell
Fox	Shell
Hardin	Stocks
Harper	Vale
Hoskins	Worley
Howard	

## Absent—Excused

Blankenship	Leath
Carssow	McCracken
Derden	Monkhouse
Harrell	Ragsdale
Heflin	Rhodes
Hyder	Smith of Tarrant
Johnson of Ellis	

CONFERENCE COMMITTEE RE-  
PORT ON HOUSE BILL  
NO. 750

Mr. Quinn, Chairman, submitted the following Conference Committee Report on House Bill No. 750:

Committee Room,

Austin, Texas, May 5, 1937.

Hon R. W. Calvert, Speaker of the House of Representatives,  
and

Hon. Walter F. Woodul, President of the Senate.

Gentlemen: We, your Conference Committee, to whom was referred House Bill No. 750, have had the same under consideration, and we recommend to the House of Representatives and to the Senate that said bill pass in the form attached hereto.

Respectfully submitted,

SHIVERS,  
REDDITT,  
NEAL,  
HOLBROOK,

On the part of the Senate.

QUINN,  
ROARK,  
JONES of Atascosa,  
HOSKINS,  
RIDDLE,

On the part of the House.

H. B. No. 750

A BILL

To Be Entitled

An Act amending Section 1 of Chapter 144, Acts of Forty-fourth Legislature, Regular Session; providing an open season for the killing of wild mourning doves and white wing doves in the north zone and south zone as outlined and defined in Article 878 of the Penal Code of the State of Texas, 1925, as amended by Chapter 222, Acts of the Fortieth Legislature, Regular Session; creating a new zone to be known as the "Gulf Coast Zone" to be cut off of the south zone and providing an open season for the killing of wild mourning doves and white wing doves in said zone; declaring the terms of this Act to be severable, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Sec. 1. That Section 1 of Chapter 144, Acts of the Forty-fourth Legislature, Regular Session, be, and the same is hereby amended so that it shall hereafter read, as follows:

"Sec. 1. There shall be an open season or period of time when it shall be lawful to hunt or kill wild mourning doves and white wing doves in the north zone during the months of September and October of any one year, and in the south zone from December 1st, in one year to the 16th day of January of the following year, both days inclusive. Such zones for the purpose of this Act shall be as defined in Article 878, Penal Code of Texas, 1925, as amended by Chapter 222, page 356, Acts of the Fortieth Legislature, Regular Session; provided, however, that there is hereby created what is to be known as the Gulf Coast Zone, which is to be cut off of the south zone as defined in the Acts and Articles above referred to, and the said Gulf Coast Zone shall include the following counties: Orange, Jefferson, Chambers, Galveston, Harris, Brazoria, Ft. Bend, Wharton, Matagorda, Jackson, Calhoun, Victoria, Goliad, Refugio, Aransas, San Patricio, Bee, Live Oak, Atascosa, Frio, McMullen, LaSalle, Jim Wells, Nueces, Kleberg, Duval, Brooks, Dewitt, Kennedy, Willacy, Cameron, Hidalgo, Starr, Jim Hogg, Zapata and Webb. There shall be an open sea-

son or period of time when it shall be lawful to hunt or kill wild mourning doves during the months of October and November of any one year in the Gulf Coast Zone, and there shall be an open season or a period of time when it shall be lawful to hunt or kill white wing doves during the months of September and October of any one year in the Gulf Coast Zone."

Sec. 2. If any part of this law shall be held by the courts to be unconstitutional, it shall not affect the remainder of this Act.

Sec. 3. The fact that the present law regulating the taking of wild doves, does not afford the necessary protection to these birds, as defined in the present law, nor afford an equitable opportunity for killing the same, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Quinn the report was adopted.

Mr. Thornton moved to reconsider the vote by which the conference committee report on House Bill No. 750 was adopted, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 790 WITH  
SENATE AMENDMENTS

Mr. Davis of Jasper called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 790, A bill to be entitled "An Act repealing House Bill 124, Chapter 456, Acts of the First Called Session of the Forty-fourth Legislature, relating to the selling, taking or possession, for barter or sale, of wild fox or the pelt, in Newton and Jasper County."

The Chair laid the bill before the House with the Senate amendments.

On motion of Mr. Davis of Jasper, the House concurred in the Senate amendments.

BILL ORDERED NOT PRINTED

On motion of Mr. Dickison, Senate Bill No. 471 was ordered not printed.

RELATIVE TO HOUSE BILL  
NO. 1094

Mr. Alsup moved that the rule, relative to the consideration of bills after same have been killed in the committee, be suspended, for the purpose of having House Bill No. 1094 reconsidered by the Committee on Appropriations.

The motion prevailed.

HOUSE BILL NO. 1150 ON THIRD  
READING

(By unanimous consent.)

The Chair laid before the House, on its third reading and final passage,

H. B. No. 1150, A bill to be entitled "An Act amending Section 7, Chapter 49, Local and Special Laws of the Thirty-fifth Legislature, Regular Session, creating the San Antonio Independent School District, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—112

Adkins	Hanna
Alexander	Hardin
Alsup	Harris of Archer
Amos	Harris of Dallas
Baker	Harris of Dickens
Bates	Herzik
Beckworth	Holland
Boethel	Hoskins
Boyer	Howard
Bradbury	Huddleston
Bradford	Hyder
Broadfoot	James
Brown	Jones of Angelina
Burton	Jones of Atascosa
Cagle	Jones of Falls
Callan	Jones of Wise
Cauthorn	Keefe
Celaya	Kelt
Cleveland	Kenyon
Colquitt	Kern
Davis of Haskell	King
Davis of Jasper	Knetsch
Davison of Fisher	Langdon
Deglandon	Lankford
England	Lanning
Farmer	Leonard
Felty	Leyendecker
Fielden	Little
Fox	Loggins
Fuchs	London
Gibson	Lucas
Graves	Mays
Hamilton	McConnell
Hankamer	McDonald

McFarland	Schuenemann
McKee	Settle
McKinney	Sewell
Metcalfe	Shell
Moffett	Simpson
Morris	Skaggs
Morse	Smith of Hopkins
Nicholson	Smith
Oliver	of Matagorda
Palmer	Stevenson
Patterson	Stinson
of Travis	Stocks
Petsch	Talbert
Powell	Tennant
Prescott	Tennyson
Reader	Thornberry
Reed of Bowie	Thornton
Reed of Dallas	Waggoner
Riddle	Walker
Roark	Weldon
Ross	Westbrook
Russell	Winfree
Rutta	Wood

Present—Not Voting

Hull

Absent

Bell	Johnson
Bond	of Tarrant
Bridgers	Keith
Cathey	Mann
Davisson	Mauritz
of Eastland	Newton
Dean	Patterson of Mills
Dickison	Pope
Dollins	Quinn
Harbin	Sharpe
Harper	Tarwater
Hartzog	Vale
Jackson	Worley

Absent—Excused

Blankenship	Leath
Carsow	McCracken
Derden	Monkhouse
Harrell	Ragsdale
Heflin	Rhodes
Johnson of Ellis	Smith of Tarrant

## POEM BY HON. C. L. STOCKS

Mr. Bradbury moved that the Hon. C. L. Stocks be requested to read to the House a poem of his own composition and that same be printed in the Journal.

The motion prevailed.

Mr. Stocks was then escorted to the bar of the House and read the following from the "April American Poetry Magazine":

The Great Transition: An Easter  
Reverie

Clarence La Fayette Stocks

My life was long and much disturbed,  
My hopes dispelled by fears;  
My fears in turn were neutralized,  
By blessings through the years.

The pain of passing through the vale,  
From life, to life supreme;  
Would occupy my feeble mind,  
And spoil a welcome dream.

At last I knew the time had come,  
The vale was rent in twain;  
I yearned to hold to some strong  
thing,  
Full-out across the main.

I gripped the life-line which was  
mine,  
Throughout so many years;  
But felt myself flung out, beyond  
The realm of earthly spheres.

The last safe-knot in life's long rope,  
Slipped through my tight clenched  
fist;  
A chill of fear attached my soul,  
Which I could not resist.

A bugle's blast! An Angel's shout:  
"You've heeded his commands,"  
I felt surprised that gravity,  
Had lost its bonds and bands.

A-float in purple lighted space,  
My vision multiplied;  
My faith in living after death,  
Was fully justified.

No fears, no aches, nor other ills,  
No heat, no cold, no rain;  
The pain of passing, past, I knew  
My soul was home again.

#### ADJOURNMENT

Mr. Brown moved that the House  
adjourn until 10:00 o'clock a. m., to-  
morrow.

Mr. Alexander moved that the  
House recess until 10:00 o'clock a. m.,  
tomorrow.

The motion of Mr. Brown prevailed,  
and the House, accordingly, at 5:20  
o'clock p. m., adjourned until 10:00  
o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed  
favorable reports on bills, as follows:

Education: House Bill No. 1163.  
Military Affairs: Senate Bill No.  
298.

State Affairs: House Bill No. 1164.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, May 6, 1937.

Hon. R. W. Calvert, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 759, "An Act defining a  
'Wholesale Fur Buyer', a 'Retail Fur  
Buyer', and a 'Trapper'; providing  
licenses for those engaged in such  
business and defining the privileges  
granted under such licenses; provid-  
ing expiration date shall be August  
31st following date of issuance; pro-  
viding for the disposition of funds  
collected from the sale of such li-  
censes; repealing all laws in conflict  
with this Act, and specifically that  
portion of the law of this State re-  
quiring a tax receipt tag to be at-  
tached to the pelts of fur-bearing  
animals; repealing the law now in  
existence requiring a Trapper's Li-  
cense and a Resident Fur Dealer's  
License or a Nonresident Fur Dealer's  
License; providing a suitable penalty  
for violation of any provision of this  
Act, and declaring an emergency."

Has carefully compared same and  
finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 6, 1937.

Hon. R. W. Calvert, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 277, "An Act providing  
relief for the Old Glory Rural High  
Common School District No. 4 of  
Stonewall County, Texas, in replacing  
buildings and equipment destroyed by  
a disastrous fire on December 13,  
1936; making an appropriation for  
said District to replace said buildings;  
providing certain exceptions, and de-  
claring an emergency."

Has carefully compared same and  
finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 6, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 875, "An Act providing relief for the Leesville Common School District No. 28 and the DeWitt Common School District No. 47 in Gonzales County in replacing and repairing damage to buildings and equipment caused by a calamitous flood resulting from a cloudburst on July 1, 1936; making an appropriation for said Districts to replace and repair such damage; providing certain equipment that may not be purchased, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 6, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 650, "An Act validating and approving all proceedings had by cities and towns in the State of Texas having a population of not more than three thousand (3,000) according to the preceding Federal Census, in the issuance and sale of revenue obligations under the provisions of Article 1111 to 1118, Revised Civil Statutes of Texas of 1925 as amended, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Works Progress Administration, or any other governmental agency, in which the only objection to the validity of said bonds is that such election was ordered and notice thereof given under the provisions of Article 704, Revised Civil Statutes of Texas of 1925 prior to the amendment of October, 1935, declaring that such bonds, notes or warrants shall be valid and binding special obligations of such cities or towns, and validating the pledge of revenues to the payment of said obligations; providing this Act shall not apply to any proceedings or obligations, the validity of which has been contested in any pending suit or litigation, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

# SIXTY-EIGHTH DAY

(Friday, May 7, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Holland
Adkins	Hoskins
Alexander	Howard
Alsup	Huddleston
Amos	Hull
Baker	Hyder
Bates	Jackson
Beckworth	James
Bell	Johnson of Ellis
Blankenship	Johnson
Boethel	of Tarrant
Bond	Jones of Angelina
Boyer	Jones of Atascosa
Bradbury	Jones of Falls
Bradford	Jones of Wise
Bridgers	Keefe
Broadfoot	Keith
Brown	Kelt
Burton	Kenyon
Cagle	Kern
Callan	King
Carssow	Knetsch
Cathey	Langdon
Cauthorn	Lankford
Celaya	Lanning
Cleveland	Leonard
Colquitt	Leyendecker
Davis of Haskell	Little
Davis of Jasper	Loggins
Davison of Fisher	London
Davisson	Lucas
of Eastland	Mann
Dean	Mauritz
Deglandon	McConnell
Derden	McDonald
Dickison	McFarland
England	McKee
Farmer	McKinney
Felty	Metcalfe
Fielden	Moffett
Fox	Morris
Fuchs	Morse
Gibson	Newton
Graves	Nicholson
Hamilton	Palmer
Hankamer	Patterson of Mills
Hanna	Patterson
Harbin	of Travis
Hardin	Petsch
Harrell	Pope
Harris of Archer	Powell
Harris of Dallas	Prescott
Harris of Dickens	Quinn
Hartzog	Ragsdale
Herzik	Reader